

# **PUBLIC PERSONNEL REVIEW**

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# Public Personnel Review

*The quarterly journal of the Civil Service Assembly  
of the United States and Canada, devoted to the  
improvement of standards and practices in public  
personnel administration.*

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# A Program of Cooperative Personnel Services

WILLIAM K. SMITH AND JOHN H. ENGLAND

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**P**UBLIC sentiment in favor of establishing merit systems for employees in smaller municipalities has been repeatedly demonstrated. Very often, however, an insurmountable obstacle to the adoption of any such proposal is the financial one. In a municipality having only a small number of employees, the cost of staffing, equipping, and maintaining a central personnel agency to administer the personnel program assumes sizeable proportions.

There are several methods of overcoming this difficulty. One answer to the problem is an arrangement whereby such jurisdictions can make part-time use of the staff and facilities of a large neighboring agency. An arrangement of this sort permits the smaller jurisdiction to utilize the resources of the larger one, with its trained staff of specialists, and to obtain technical services at a nominal rate as needed without incurring what would otherwise be a relatively heavy overhead cost.

Such a program of cooperative personnel services has been furnished by the California State Personnel Board for several years, and a substantial number of local jurisdictions throughout the state have used it to advantage. It is not claimed that this is the best or only answer to the problem; it is merely one approach. It is hoped, however, that this agency's experience, as described in the following pages, may furnish some suggestions to others who are faced with the same situation.

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In brief, the California State Personnel Board offers to local agencies, at cost, such technical personnel assistance as may be needed to supplement their existing facilities. This service includes various types of technical personnel assistance. It ranges from suggestions and advice to the actual performance of certain delegated personnel functions. The program is based upon the concept of performing only those personnel services which the agency is not equipped to perform for itself. The local agencies exercise the policy-determining functions and perform the more routine record-keeping work. Because of the strong sentiment in favor of local self-government and "home rule" in California, it is only natural that the program is based on voluntary cooperation. There is in no sense a centralization or concentration of authority in the state agency, with a resulting loss of local control. The local agency is at liberty to avail itself of as much or as little of the services offered as it wishes. Voluntary cooperation, rather than centralization and compulsion, is emphasized throughout every phase of the personnel services program.

While administration of the program is sometimes handicapped because of the lack of authority to compel adherence to uniform standards and procedure, the situation has not been as complicated as might be expected. And it has had the very definite advantage of permitting local agencies to obtain practical merit systems without bearing prohibitive costs and without surrendering in any degree the rights they possess in the matter of local self-government.

## ORIGIN OF PROGRAM

THE cooperative personnel program of the State Personnel Board started in 1935 by way of an informal arrangement with the County of San Diego. San Diego County was at that time making a classification survey of the positions in its service and desired the advice and assistance of the classification staff of the Board. A modification of the job description card of the Personnel Board was used to secure data on the duties and responsibilities of the positions. After these forms had been completed by the employees, the Personnel Director of the County came to Sacramento and worked with the classification staff in determining position allocations and preparing class specifications.

This relationship was formalized a little later through a written agreement and the cooperative work was extended to include the preparation of written tests or segments of such tests. This was the first contract calling for the performance of personnel services for a local jurisdiction by the State Personnel Board. It was consummated under a general provision in the State Political Code,<sup>1</sup> which authorizes state agencies to contract with each other for the performance of technical services.

## LEGAL BASIS

THE first of a series of statutory provisions specifically authorizing contractual arrangements for the performance of personnel services was adopted by the State Legislature in 1935. This act<sup>2</sup> encouraged local jurisdictions to adopt merit systems and made such systems feasible for even the smallest agencies by authorizing them to contract with each other, or with any state department, for the performance of personnel services. This statute provides in part as follows:

The legislative body of any city within this State is hereby authorized to adopt by ordinance a personnel system, merit system, or civil service system,

<sup>1</sup> Section 356 (a)

<sup>2</sup> Chapter 48, Statutes of 1935.

for the selection, employment, classification, advancement, suspension, discharge and retirement of appointive officers and employees. . . .

It is intended by the provisions of this act to enable the legislative body of any municipality within this State to adopt such a personnel system, merit system, or civil service system as may be adaptable to the size and type of municipality involved. . . .

The legislative body of any municipality may contract with the legislative body or governing board of any other municipality or county within this State, or with any State department for the conducting of competitive examinations to ascertain the fitness of applicants for positions and employment in the city service, and for the performance of any other service in connection with personnel selection and administration.

In 1939 a similar statute was enacted,<sup>3</sup> specifically authorizing counties to set up personnel systems under substantially the same setup as previously authorized for cities. Also, in order to remove any doubt as to the propriety or legality of the State Personnel Board entering into contracts with local agencies for the performance of personnel services, and to give adequate positive authority for such agreements, there was included in the general revision of the Civil Service Act adopted in 1937 the following provision:

The Board [State Personnel Board] may enter into agreements to make available its services and facilities upon request to political subdivisions of the state and to state agencies excepted from the state civil service.

## SCOPE OF PROGRAM

FROM the very limited scope of the functions performed at the inception of the cooperative work, the activities have greatly increased in variety. Services performed have included suggestions as to provisions to be incorporated in new ordinances and rules, suggestions for the revision of existing ordinances and rules, the installation of classification and compensation plans, the preparation (and in some instances the administration) of examinations, the installation of reports of performance systems, and the development and installation of adequate personnel record-keeping systems.

<sup>3</sup> Chapter 982, Statutes of 1939.

Work has been performed not only for political subdivisions of the state but also for state agencies that are exempt from state civil service and for state agencies that are charged with the administration of business license examinations or the maintenance of personnel standards in other agencies. Following are a few examples of these relationships.

In connection with, and as an integral part of his control over the expenditure of state funds, the Director of Finance early in 1935 called upon the Personnel Board staff to advise him in some instances and to act for him in other instances on personnel transactions relating to positions in agencies exempt from civil service.<sup>4</sup> The largest single function performed for the Director of Finance was that of passing upon the personnel transactions (principally classification and pay matters) of the State Relief Administration, an organization which varied in size from approximately one thousand to five thousand employees. The arrangement continued up to the liquidation of the Relief Administration in 1941. In addition to this continuing assignment, the Director also frequently requested special studies relative to the classification and compensation of positions in such exempt agencies as the State Prisons, State Colleges, and the State Railroad Commission.

Another department that has drawn upon the Board's staff for assistance in administering personnel transactions apart from the regular state civil service system was the State Department of Social Welfare. Early in 1938, that department was charged by the federal Social Security Board with the responsibility of seeing that certain minimum personnel standards were maintained among county employees in the fifty-eight counties of the state who were engaged in disbursing federal aid moneys. The Social Welfare Department entered into a contract with the

Personnel Board to advise it on proper personnel standards and particularly to review the applications of persons for appointment to positions in county welfare departments. This arrangement continued for more than a year. The agreement was then cancelled, but was renewed with somewhat different terms in 1941. During the interim the Department of Social Welfare had acquired its own personnel staff to carry on all phases of the work except that of examining. The present contract, therefore, divides the work of administering the County Merit System between the Department and the Board. The Department carries on all phases of the County Merit System program except the preparation and administration of examinations. The Personnel Board, as the agent of the Department, administers the examining program.<sup>5</sup>

Still another type of service that is being rendered to state departments is that of preparing and administering business license examinations. At present this work is being done for two agencies. In each instance the agency that is charged with the issuance of licenses to engage in a certain business activity within the state believes that the Personnel Board is better equipped than it is to prepare adequate qualifying examinations. It has thus contracted for the performance of this work.

**F**ROM the very beginning it has been the policy of the Board not to solicit cooperative work but to leave it up to the agencies and jurisdictions desiring the service to take the initiative in contract negotiations. Yet, during the last two or three years the num-

<sup>5</sup> Specifically, the arrangements provide that the Personnel Board is to construct and administer all written tests and to administer the appraisal of candidates' education, experience, and personal fitness. Notification of all such tests and actions in connection with these tests, however, are made in the name of the Department of Social Welfare. All protests against any phase of the examination process are first handled by the staff of the Board and, if not fully adjudicated there, may be appealed to the Social Welfare Board, which is the administrative head of the Department. In no case, however, are such appeals heard by the Personnel Board itself, (as distinguished from the staff).

<sup>4</sup> The need for and value of such services had been well established previously, for at one time the Personnel Board was a part of the Department of Finance—i.e. the Division of Personnel and Organization—and during that time the staff had performed these services.

ber of agencies (including counties, municipalities, school districts, and state agencies) that contracted for cooperative service increased steadily until by April, 1942, there were contracts with twenty-six agencies. At that time, for reasons later explained, the Board found it necessary to terminate all contracts.

For approximately three months all cooperative work was suspended except that necessary to complete examinations in progress at the time the contracts were cancelled. During that time the agencies that had had contracts with the Board, as well as other organizations interested in merit system principles, made every effort to find some other means of obtaining these services. One avenue of approach explored was the possibility of establishing an agency for the performance of this work in some such organization as the League of California Cities or the recently organized California Merit System League. In the end, however, it was the consensus of those who were studying the problem that under existing legislation the State Personnel Board was the best, if not the only, feasible organization to carry on this work.

Representatives of the interested jurisdictions selected a spokesman to appear before the Personnel Board and urge the resumption of the cooperative work. After the needs of the smaller agencies were made known to the Board, the Board agreed to resume the services on two conditions: (1) that the work would be entirely self-supporting, or at least would not be financed out of the funds appropriated to the Board for the performance of its regular work; and (2) that the work would be carried on in such a manner as not to interfere with the discharge of the statutory functions of the Board.

The first requirement was met when the Director of Finance agreed to underwrite the program financially. His action was based on the fact that these services had to be rendered to the Department of Social Welfare to enable it to conform to the re-

quirements of the federal Social Security Board in the administration of the County Merit System, and also that the Department of Finance needed these services in controlling the expenditure of funds for personnel in agencies exempt from civil service. The second requirement was met by proposing to have the cooperative work performed by a separate clerical and technical staff within the office of the Personnel Board. When the proposed method of financing the program and carrying on the work was presented to the Board, that body immediately authorized the Executive Officer of the agency to establish such a staff within the office and to again enter into contracts.

#### CONTRACTS FOR SERVICES

**P**RACTICALLY all requests for information regarding services available have originated from agencies which have learned of the services through representatives of agencies already having contracts. When requests for information concerning the program are received, a rather standardized reply is sent outlining the services available. Inquirers are also informed of other agencies in the vicinity which have, or in the past have had, contracts, and the suggestion is made that such agencies be contacted to obtain their views on the practicality of the program. If the agency desires to discuss the matter in further detail, the staff member in charge of the work meets with the city manager, civil service commission, or other officer or body and explains the services and operating procedures in detail. If these discussions result in the agency deciding to avail itself of the services, a formal agreement or contract is signed. Two contract forms are used at present: one covers examining services and the other covers all other types of personnel services. However, work is now being done on consolidating the two forms into one standard contract form.

In situations where classification or compensation plan work is performed, all phases of the work—including conferences with the employees and their supervisors, the distri-



bution of questionnaires, the determination of classes, the allocation of positions, and the writing of specifications—are carried on by the staff of the Personnel Board, and final recommendations are submitted to the contracting agency. When the agency contracts for the installation and maintenance of a report of performance system, the Board supplies the report forms, instructs the employees and reporting officers in the use of the system, and scores the reports on the basis of central scoring formulae. The scored reports are then returned to the agency.

**E**XAMINATION activities involve a much greater degree of participation by the local agency. As previously mentioned, one of the cardinal principles of the system is that only those services will be performed which the agency cannot perform for itself. Accordingly, wherever the local agency has facilities that enable it to do the work involved in any phase of the examining program, these facilities are used. In every instance, except in the case of the State Department of Social Welfare, the contract calls for the agency to be responsible for publicizing the examination, passing upon applications, arranging for examination facilities and monitors, notifying candidates of the test date and place, and notifying them of the examination results.

The first prerequisite for the holding of an examination for an agency is that there must be an acceptable specification for the class. It is required that a copy of the specification, together with a statement of the urgency of the test, accompany each request from an agency for conducting an examination. One month's notice of a test is desired and agencies are requested to give at least that much advance notice. The agency is requested not to release the examination bulletin or any other publicity on the examination until a date has been mutually agreed upon. It is also requested that a copy of the examination bulletin be sent to the Board as soon as it is released.

At least ten days in advance of the examination date the agency is required to notify the Board of the number of candidates. When this information is received the required number of examination booklets are mimeographed. This material and a set of complete instructions covering the administration of the test, are shipped to the agency, together with any special materials that may be needed for examination administration. The agency agrees in advance to administer the examination in strict accordance with the instructions. Immediately upon the completion of the examination the material is wrapped, sealed, and returned to the office of the Personnel Board in Sacramento.

There the examination booklets are scored and returned to the agency, together with a recommendation as to the passing or minimum qualifying mark. A keyed copy of the examination and a tabulation showing the performance of every competitor on each test segment and on the whole examination is also supplied. Competitors are allowed a specified time in which to review their papers and protest any items. All protests filed are referred to and passed upon by the staff of the Personnel Board, but none of these are heard by the Board itself.

The examination booklets are at all times regarded as the property of the Board, and after subsequent parts of the test are completed by the local agency and the eligible list has been established, the booklets and keyed copy are returned to the Board. The booklets are kept in file for one year unless by agreement with the agency a longer period is set.

#### FINANCIAL ASPECTS

**A**S WILL readily be appreciated, one of the most perplexing and continuous problems involved in the operation of such a program is that of finances. On one hand is the requirement that the services be made available to small agencies at a figure within their financial means, and on the other the requirement that the program be self-supporting. At times the two seem entirely

irreconcilable. Suffice it to say, however, that in the end the answer must be the product of many factors, including the amount, type, and diversity of work performed, the geographical distribution of the agencies served, the ability of the agencies to pay, and the extent to which the work can be standardized.

While the problem of financing the program of services was present at the very outset, it offered no practical hurdles until the work assumed sizeable proportions. In the beginning the work involved represented such a small fraction of the total operations of the agency that the principal interest was in fixing the charges at a point the local agency could afford to pay. While it was intended that the services should be rendered at cost, any operating losses were so slight as to be easily absorbed by the Board. In retrospect, it is quite apparent now that the earlier charges fell far short of covering expenses incurred.

Over the years, however, an attempt was made to keep cost figures on the work as a basis for the development of unit costs. The present financial arrangements are as follows:

1. Contracts calling for the performance of other than examining and report of performance work provide for the agency to pay the actual cost of rendering the service, including a pro-rata share of the salaries of the technical and clerical employees who participate in the work, the cost of materials, travelling expenses incurred, and mailing and shipping costs.

2. Contracts covering examining work provide for the agency to pay one dollar for each test competitor, with a minimum charge of \$10.00 for each examination.<sup>6</sup> The contracts go further to provide that where the actual cost of preparing an examination exceeds the charge computed on the foregoing basis, the agency will also pay these additional costs.

<sup>6</sup>Originally a rate of fifty cents a booklet was charged for each test competitor, whether there was one or five hundred competitors. Later the charge was raised to seventy cents a booklet, with a minimum charge of five dollars for each examination.

3. Contracts covering the installation and administration of a report of performance system provide for the agency to pay a pro-rata share of the salary and travelling expenses of the staff member assigned to the work, and ten cents for each report of performance rated.

The following instances taken from among the more than a hundred examinations prepared within the last four months will serve to illustrate typical examination charges:

- a. A promotional examination was prepared in a class for which examination material was readily available. There were three competitors. As all costs involved in the examination did not exceed the minimum \$10.00 charge, the agency was billed for that amount.

- b. An open competitive examination was held for Fireman. There were thirty-two competitors. The cost of the examination did not exceed the charge computed on a basis of \$1.00 per competitor, so the agency was billed for \$32.00.

- c. A promotional examination was held for Humane Officer. Considerable new material had to be prepared. There were two competitors. The cost of the examination exceeded the minimum \$10.00 charge, so the agency was billed for the total actual cost—\$12.67.

While some of the agencies with very limited funds available for personnel services on occasion have found the charges rather difficult to meet, they do not complain because they found (according to their statements) that when the contracts were cancelled they could not obtain comparable services at anywhere near these figures.

#### ORGANIZATION AND STAFFING PROBLEMS

ANOTHER major problem has been with regard to the best method of organizing the work within the Board. There are two diametrically opposed solutions to the problem. One is to intermingle and absorb the

work along with the regular activities of the agency just as though it were a regular part of the work of the agency. The other approach is to perform the work in a separate and distinct unit or section within the agency. The Board has tried both methods; at least, it has tried the first and is now trying a modified form of the second.

By reason of the fact that it began on an informal basis, it was only natural that the work was at first performed by the regular staff of the Board along with normal duties of the agency. As the amount of cooperative work increased, however, it was found advisable to designate one staff member to devote part of his time to performing the field work involved and to see that other staff members produced the examination material and shipped it in accordance with the commitments made to the local agencies. However, the work was still performed by the staff members along with their regular work.

The difficulties inherent in such an arrangement are self-evident, particularly where the staff is already forced to capacity with its regular work. Even though the staff members were in the main convinced of the merits of the cooperative services program, there was a tendency to regard that work as extra-curricular in character and something that should give way to regular work whenever there was a conflict between the two. This was particularly true because the regular work load per staff member was not lessened in proportion to his increased participation in the cooperative services program. This caused delays in completing cooperative jobs with resulting complaints about the delay from the agencies. It also engendered a feeling among some staff and Board members that the cooperative work was jeopardizing the standards of service rendered to state agencies—the Board's first responsibility. With the sudden increase in employment problems facing the state because of war conditions and the loss of key members of the staff to the armed forces and to other personnel agencies, the situation

reached a point in April, 1942, at which the Board members felt compelled to discontinue the cooperative services rather than risk the possible breakdown of required services to state agencies.

WHEN it was subsequently decided to reinstate the program because of its value to local agencies, it was also decided that the work should be segregated in a separate staff unit. As this is being written the new arrangement of the work has been in operation for only four months and is still in the experimental stages. However, it appears quite clear that handling of the work by a separate clerical and technical staff has not only speeded up the processing of the cooperative work, but has also eliminated the resentment of staff members who previously found it necessary to handle the work as an addition to their regular assignments. Under the new organization plan, a personnelist is in charge of the section and is responsible directly to the Executive Officer. He has one full-time personnelist working with him and has the intermittent assistance of several special expert examiners. He also has three full-time clerical employees and such additional intermittent clerical assistance as the work demands. This clerical staff performs all of the clerical work involved in the cooperative activities with the exception of mimeographing material. This latter work is performed by the regular mimeographing staff on a schedule that does not conflict or compete with regular work. The cooperative personnel services unit has access to the regular office pool of test items, but over a period of years has developed so much material in the specialized fields of its testing work that it is no longer necessary to draw on this source of materials to any great extent.<sup>7</sup>

<sup>7</sup>A problem that arose in connection with the cooperative test program was that of preparing examinations which would properly test candidates for the specific jobs to be filled. When the work of preparing examinations was assigned among the regular staff of examiners according to their specialized fields and without affording them an opportunity to become properly acquainted with the work of the class in the particular

In order to arrive at equitable charges for the services rendered, daily tally sheets are kept by each employee in the unit, indicating the precise amount of time he spends on each assignment. These figures are totaled at least once a month and translated into terms of dollars and cents. They are then combined with all other costs applying to the work performed for each agency and a bill is submitted to the agency for the total cost.

#### CONCLUSIONS

WITH all its shortcomings, and they have admittedly been many, the services that have been rendered by the Personnel Board to local agencies appear to be fulfilling a definite need. This was well demonstrated when the contracts were cancelled. The agencies that had been served, with one or two exceptions, were generous in their commendations of the services and offered concessions in the form of increases in charges and more standardized operations if these were necessary to the resumption of the services. Of the twenty-six contracts in effect when the blanket cancellation took place, all but four have renewed their contracts. In addition requests have been received recently from six new agencies for examining as well as other technical services.<sup>8</sup>

agency for which the examination was being held, examiners in a few instances were misled by apparent similarities between the specification for the class for which the test was being prepared and other state classes. As a consequence, the tests missed the mark. Under the present arrangement of the work, the occurrence of situations of this kind is reduced to a minimum. Since those who prepared the tests are familiar with the work in each of the agencies, they are in a position to adapt their tests to the particular requirements of the agency.

<sup>8</sup> A new development in the field occurred when the citizens of San Mateo County in a recent election adopted by an overwhelming vote an ordinance providing a

Before leaving the subject, at least one very tangible advantage the Board has received for its cooperative work should be mentioned—the assistance that has been secured in administering its state-wide examination program. The cooperative work has developed many examination points and facilities and experienced monitors, which is of highest value in administering examinations in an area the size of California. The development of San Diego—at the very southern tip of California—as one of the regular examination points within the state, for example, is directly attributable to the cooperative work performed for that county.

Viewed in its long-term aspects, it appears that the cooperative personnel work of the California State Personnel Board will come to be regarded as one of the major contributions of the Board to the advancement of public personnel administration in California. This program may well form the basis for the development and acceptance of uniform personnel standards, a condition prerequisite to the realization of the public personnel administrator's dream of interjurisdictional transfers, interjurisdictional acceptance of test results, and joint testing programs. But regardless of whether that condition will ever come to pass, the immediate results of the program have been very gratifying in that it has made possible the establishment and operation of merit systems in a number of jurisdictions wherein the problem of providing adequate staff facilities would otherwise have been virtually insurmountable.

merit system for county employees and requiring that the technical personnel work be performed by the California State Personnel Board unless the Board found it impossible to render the services. This situation is too new to evaluate, but it will be interesting to note its developments.



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# The Health and Safety Services of the Tennessee Valley Authority

E. L. BISHOP, M.D.

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THE work program of the Tennessee Valley Authority is comprehensive in scope and varied in character. Created in 1933 as a federal corporation, the Authority was charged with the responsibility of instituting a system of water control which has flood control and navigation as primary objectives, and the development of incidental power resources as a collateral purpose. Under a third primary responsibility, the Authority was directed to undertake the experimental manufacture of more effective and less expensive fertilizers and to test them under practical farming conditions. The final major instruction was that the agency should concern itself with the integrated development and conservation of the natural resources of the Tennessee Valley in order to promote the general welfare of the region. These highly diverse but related elements have been woven into a surprisingly well integrated pattern of consistent purposes, but the breadth and complexity of the public health, medical service, and safety programs which serve such an enterprise can well be imagined.

World events in 1941-42 brought into full play another responsibility of the Authority—its role as an agency for the national defense. Construction of projects previously begun was expedited; a series of new projects was begun under Congressional authorization; and the manufacture of chemicals was materially extended by executive order of the President—all as part of the national war

effort. The result has been to quadruple employment and proportionately to expand both qualitatively and quantitatively the load on the service departments. There is not now the opportunity to prepare facilities for a major project in advance of beginning construction, nor to recruit and train a health and medical service staff. These steps must proceed simultaneously with construction, and the tempo of the entire operation must be increased beyond what in other days was thought possible. Stresses on the experienced technical staff—which it has not been possible to augment—have increased in proportion to the thinness with which it must be spread, but all of this is merely a symptom of the extent to which each individual and each agency must contribute to the effort of the nation as a whole. Perhaps, however, these general considerations may help in an understanding of the specific services of the health and safety element of the Authority's organization.

## OBJECTIVES OF PROGRAM

BY AND large, the work of the Health and Safety Department may be classified into two main categories which, though overlapping at particular points, have separate principal objectives.

Occupying first place, obviously, is the care of the health of employees, including medical service, the control of preventable diseases, safety service in the prevention of accidents, and environmental hygiene. The objective here is not merely the negative purpose of controlling occupational hazards but

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also includes the more positive intent to improve the health status of the employed group.

The second prime objective is the solution of public health problems, both potential and actual, which are inherent in a project involving the conversion of a system of flowing rivers into a chain of great lakes. Beneficent as is this process, there remains the necessity for preventing maladjustment of certain related biological changes which, if uncontrolled, could offset with disaster the results of the whole enterprise. For example, stream sanitation and the prevention of malaria afford problems of the first magnitude.

Four general principles have governed the essential services developed in dealing with these objectives. These are summarily outlined as follows:

1. Flexible organization and the extension of service facilities only to the point that meets the requirements arising in the Authority's over-all program.
2. Supplementation and extension of existing facilities within the several states embraced in the region instead of duplicating them. Thus full integration of service with that of state and other federal agencies, both in planning and operating such work programs as are essential, becomes a practical possibility.
3. Complete integration of health and safety activities with the activities of the Authority as a whole by building health and safety facilities into the structures and operations of the Authority.
4. Coordination of service with that of educational and other institutions of the region.

The result has been a unique organization, similar in some respects to that of a state health department because it deals with similar problems, but dissimilar in other respects since it must deal with many other problems of a nature not ordinarily found within the scope of typical health department service.

#### ORGANIZATION OF THE HEALTH AND SAFETY DEPARTMENT

THE organization for health and safety is simple, but both service and authority are decentralized to the fullest possible extent. Development, appraisal, and technical supervision of the entire program is the function of a relatively small central staff of four principal units, the functions of which may be described as follows:

1. The Medical Services unit is responsible for formulating and reviewing standards, policies, methods and procedures in such fields as the maintenance of employee health; prevention and control of communicable diseases among employees; the definition of occupational health hazards; provision of facilities for the treatment of sickness and injuries associated with employment, but also including general medical care of non-occupational illness at points inaccessible to normal facilities; and the appraisal of medical and public health programs.
2. The Public Health Engineering unit has the responsibility for planning and technical supervision of work in safeguarding water, milk, and food supplies; engineering methods and engineering practices in malaria control programs, and sewage and waste disposal, including stream sanitation; the sanitation of recreational areas and facilities; and the hygiene of housing and working environment particularly in regard to standards of air, light and space.
3. The responsibility for the planning and technical supervision of safety services is carried by a trained staff and includes measures for the prevention and control of hazards to human life resulting from accidents, fires, and similar contingencies on all properties and operations of the Authority; collaboration with national, state and local services having similar interests in the Tennessee Valley area; and integration of the safety program with other departmental units both in the Health and Safety Department and other departments of the Author-

ity in the development and supervision of industrial hygiene services.

4. Serving these several staff units as well as the field organization is a laboratory group which is responsible for applied research and investigation in support of technical operating programs involving technical aids from the fields of parasitology, bacteriology, serology, and clinical pathology; the planning and technical supervision of malaria control procedures, including the research necessary to the improvement of these procedures insofar as they are based upon medical, biological, engineering, chemical and physical sciences; and laboratory research and study in connection with the examination of water supplies, stream sanitation, ventilation, lighting, dust hazards, and similar problems of environmental hygiene as they present themselves in the public health engineering and accident prevention programs. It is within this group that is included the industrial hygiene unit, which guides and controls the industrial hygiene service. This latter unit consists of a medical officer, an industrial hygienist, a chemical engineer, and such sub-professional personnel as is necessary in connection with current work.

The staff units serve an area or "line" organization consisting of two geographic divisions, and the chief officers of both "staff" and "line" elements are directly responsible to the Director of Health. Each geographic division is responsible for the application of the entire departmental program to all projects within its assigned territory, with advice and technical supervision from, and under the policies, standards, methods and procedures developed by, the several staff elements. Thus, very simply and very directly, is achieved almost complete integration of a wide variety of services and professional skills which range all the way from malaria control to surgery, and from biology through medicine to engineering. Consideration is now being given to subdivision of the two geographical divisions into four areas in order to achieve still greater economy and directness of action.

The ultimate unit of organization is a field service area headed by a medical officer—preferably with graduate training in preventive medicine—with such staff of associate physicians, engineers, nurses and subprofessional personnel as may be necessary for the particular operation. It is at this point that the entire program of health, medical service and safety is brought together and unified into one program for the service of employees and the solution of regional problems associated with the Authority's major purposes and objectives. Here, where people live and work, is the opportunity to provide a fabric of protective service the threads of which consist of many arts and sciences.

#### DETAILS OF PROGRAM

**A**N EFFECTIVE health and safety service is based on infinite attention to detail. Its success or failure turns on the degree to which detail is effectively handled, and for this reason the details of the Authority's program are given considerable stress in this discussion.

Some of the details in the miscellany of the medical, preventive medical, and safety activities are: pre-employment physical examinations, including blood Wassermans and, where considered necessary, chest X-rays; medical supervision of vocational placement; hospitalization; emergency medical care; periodic health examinations; care of service-connected injuries; emergency care of non-service-connected injuries; diagnosis of diseases; medical care for workers and their dependents in remote areas; health guidance of employees; required annual physical examinations for certain classes of workers (for example, groups exposed to such hazards as silica, phosphorus and other chemicals); immunizations against smallpox and typhoid fever; special personnel work in the placement of employees physically under par; follow-up examinations after illness of employees; first-aid facilities in remote project areas; special training in safety for such work as tunneling and power opera-

tions; sanitation of living conditions of employees living on projects; supervision of special industrial hygiene problems, such as exposure to various chemicals and dusts; venereal disease clinics; technical supervision of heating, lighting and ventilation of offices; and education for on-the-job and off-the-job health and safety.

Certain of these details require more than mere mention for an understanding of their influence upon the health and welfare of employees. For example, there is the matter of supervision of project living conditions. Upon beginning a construction program, the Authority brings from 1,000 to 3,000 workers into a relatively small area. In addition to these, a number of families and dependents of workers must secure living accommodations. A considerable number of both employees and their dependents are domiciled in dormitories and houses that are constructed by the Authority on the project site.

The rate at which this population grows varies from project to project. The Authority cannot delay project construction until local governments can assure plenty of safe water, food, milk, and the control of communicable diseases, nor can local communities be expected to assume responsibility for projects of a temporary character. Hence the Authority provides roads, streets, buildings, fire protection facilities, police equipment, water, milk and food inspection, and refuse disposal. It pays particular attention to examinations of all persons who are to handle food, and its cafeterias are inspected regularly by its public health personnel.

**A**NOTHER example is the extent to which the Authority has stressed the treatment of service-connected injuries. It has from the simplest to the most complete equipment for this: first-aid kits and stretcher boxes in the field with work crews, at substations, and at other locations where small groups of employees are working; portable first-aid stations which follow construction as the point of maximum concen-

tration of workers' advances; first-aid trailers; field medical units near the center of reservoir areas; and complete hospitals at construction projects. Medical officers at the construction projects are on call twenty-four hours per day for the treatment of service-connected injuries.

About 96 per cent of all injuries on such jobs are minor, but minor injuries are potentially dangerous through the consequences of infection and the resulting crippling, or perhaps even death, if immediate and proper attention is not available. Again, if a man becomes ill on the job, as for example from heat prostration or any other cause associated with his work, he is given appropriate treatment immediately in order that he may have the best chance for recovery and that he may go back to work at the earliest practicable period. Lacking such attention, he might never go to a physician, would certainly be off the job a much longer time, and might possibly suffer serious consequences or lingering after-effects.

In addition to facilities in the field, service is maintained for employees concentrated at centers of administration and supervision. Here, while the service is somewhat more limited, it is none the less necessary. Medical care can be provided through the normal community facilities, but there still remains the necessity of preemployment and health guidance physical examinations, attention to minor or emergency illnesses, early diagnosis, and health education. Employees are encouraged to use the facilities at their local medical units and to consult the local medical officers for what they may regard as minor illnesses, a proportion of which are not infrequently early manifestations of more serious conditions. In this way, at least a measure of self-diagnosis and self-treatment is avoided, and the employee is able to place himself under competent medical care earlier than would otherwise be possible. Such individuals are referred to their own private physicians when the need for corrective or continuing medical care is ascertained.



### PREVENTIVE ASPECTS

**I**T WAS realized long ago that more man-hours are lost by non-service-connected injuries and illnesses than by those connected with the job. According to some, this ratio is as high as 14 to 1. Hence, it is in the Authority's interest as well as in that of the employee to provide facilities which will minimize the effect of non-service-connected conditions and the machinery through which they may be placed under competent medical supervision during the early treatable stages. This is preventive medicine, since it emphasizes the avoidance of preventable illnesses and injuries.

In the health guidance program the fundamental purpose is to keep well people well and to discover potential physical impairment in time for appropriate treatment and proper hygiene of living to be of real value to the employee. The program is based on periodic examinations which, with the exception of certain special groups engaged in the more hazardous occupations, are now entirely voluntary. Employees are, however, encouraged to take advantage of this service at least once every two years.

The result of this phase of the program is an appraisal of the real state of health of persons who may be only apparently healthy. One of the ultimate aims is the prevention of degenerative diseases and the disabilities of advancing years by the correction of unfavorable conditions in the employee's occupational environment and by professional aid to the family physician in arriving at early diagnoses of obscure conditions. Employees with such conditions as involvement of the heart, arrested tuberculosis, and similar impairment of vital organs receive special guidance and counsel. Each year an increase of some hundreds of employees respond to advice and counsel from the medical units by securing from private physicians and hospitals appropriate corrective medical and surgical treatment for conditions discovered originally in the medical units.

Excellent cooperation between medical personnel of the Authority and physicians and dentists of the communities has been established. In these days of limited medical personnel for civilian practice, it is increasingly important that there be provided helpful service to the practicing physician. This service may be of two general types: diagnostic aids through such facilities as X-ray, electrocardiograph, and basal metabolism equipment; and case follow-up in regard to diet, work habits, and recreational activities. The human values of such work are readily apparent; and the financial values are no less clear, since it is entirely reasonable to assume that under such a program less money will be paid out for temporary absence from work, or for permanent retirement due to physical disability.

### EMPLOYEE HEALTH AND JOB PLACEMENT

**G**UIDANCE in job placement has always been one of the features of the health and safety program. Entrance examinations and periodic physical examinations are part of this work, and in this the Health and Safety Department and the Personnel Department work closely together. The Personnel Department cannot put a man to work until he has had a thorough physical examination. This is as much a part of his job placement as are his former experience and recommendations.

When the medical officer discovers some potential harmful condition in a prospective employee he does not tell him that he cannot work for the Authority. He first consults with the personnel officer and, if the work is to be on construction projects, with a safety officer to see whether there is a place where the applicant can be fitted in without injury to himself or his fellow employees and without holding up production on the job. On such a basis of individual selection and placement, the Authority's percentage of rejected applicants is approximately 4 per cent, a figure believed to be considerably

under the rejection rate for work programs similar to that of the Authority.

#### DECREASE IN ACCIDENT RATE

UNLIKE the general experience of accident frequency rates, and despite increasing hazards in construction work as it must be carried out under the pressure of the war effort, the Authority is still reducing its accident toll. Its record for some years has appeared to be better than average for like enterprises and there has been progressive improvement. For example, the accident frequency rate for the first year of dam construction (1933) was 68 per million man-hours of work, but the rate for the calendar year 1941 was only 17 per million man-hours.

A good deal of credit for progress in accident abatement is due to the activities of the job safety officers. These officers are men who have done construction work, who show an interest in and an understanding of safety work, and who have the ability to convince fellow employees that safety practices are worthwhile. Incidentally, these job safety officers spend most of their time out on the job with the foremen and men and but very little time behind a desk—a principle which applies also to other personnel in the health and safety service.

The workers themselves are made safety-conscious through monthly or weekly safety bulletins, workers' safety committees with revolving memberships, frequent crew meetings, workers' trips over the job, and the safety officer's daily tours of inspection. There is also a supplemental program of first aid classes which serves the double purpose of teaching men how to give first aid treatment in case of injuries, and of teaching them the prevention of injuries.

#### EMPLOYEE MEDICAL CARE

AS HAS been previously mentioned, on projects remote from hospitals and physicians, or in sections where medical facilities are insufficient to take care of the

sudden population increase caused by a major project, the Authority sets up a medical care program in which its employees and their dependents participate. Hospital equipment and staff, which has been provided for service-connected injuries, is made available to employees for general service on the payment of a small fee. Thus is provided the same type of service that a large private company setting up operations in a remote area would institute for its employees and their dependents. Such programs are currently in effect at the Apalachia project in Tennessee, the Fontana project in North Carolina, and the Kentucky Dam project in Kentucky.

A phase of medical service that is especially emphasized is the care of minor injuries. Men who come in for treatment are told of the need for careful follow-up through subsequent treatment, and the importance of reporting all injuries no matter how minor. They are told, for example, of dangers of infection, of the possibility of greater dangers from small neglected wounds than from larger wounds that have to be treated before further work, and they are provided with such special health educational material as would be useful in supplementing the discussion at the medical center.

#### COST VERSUS RESULTS

THE first two questions anyone responsible for the administrative management of a large industrial enterprise would ask regarding work of this kind would probably be: "How much does it cost?" and "What does it achieve?" There are two points of view from which these questions may be answered. One would include immediate expenditures without reference to ultimate economies; the other would take into account the long-time dividends accruing from a sound investment in health and safety service. The latter point of view, based on the true definition of economy, is the one from which the Authority views the problem. The accompanying tables indicate the

tangible statistical evidence on the question of cost *vs.* results.

TABLE I. DATA OF INJURIES AND MEDICAL SERVICES<sup>a</sup>

(Fiscal Years 1934-1940)

FISCAL YEAR ENDING	PER CENT LOST-TIME INJURIES	AVERAGE TREATMENTS PER INJURY
June 30, 1934	8.0	1.4
June 30, 1935	5.3	2.1
June 30, 1936	3.2	2.5
June 30, 1937	2.7	2.6
June 30, 1938	2.6	2.7
June 30, 1939	2.6	2.7
June 30, 1940	2.5	2.4
Entire Period <sup>b</sup>	3.5	2.5

<sup>a</sup> Comparable figures for fiscal years 1941 and 1942 are not available. A continuing decline in the frequency rates of service-connected injuries through 1942 indicates that the correlation persists.

<sup>b</sup> This table is based on a total for the period of approximately 162,000 injuries and 398,000 medical services given for these injuries.

Table I shows a surprisingly close negative correlation between the percentages of accidents resulting in loss of time and an increasing intensity of medical service. This obviously is related to the severity rate of service-connected conditions. A similar showing, quite as dramatic, could be made in the frequency rate as associated with increasing intensity of industrial safety service.

TABLE II. ESTIMATES OF COSTS OF INJURIES<sup>a</sup>  
(Fiscal Years 1934-1940)

FISCAL YEAR ENDING	EXPENSE OF TREATMENT AND PREVENTION OF INJURIES <sup>b</sup>	EXPENSE OF COMPENSA- TION <sup>b</sup>	TOTAL EXPENSE <sup>b</sup>
June 30, 1934	\$0.22	\$2.76	\$2.98
June 30, 1935	.68	2.67	3.34
June 30, 1936	.85	1.55	2.40
June 30, 1937	.77	1.71	2.48
June 30, 1938	1.05	.89	1.95
June 30, 1939	.68	.71	1.39
June 30, 1940	.57	.48	1.05
Entire Period	.74	1.29	2.03

<sup>a</sup> Comparable figures for fiscal years 1941 and 1942 are not available. A continuing decline in the frequency rates of service-connected injuries through 1942 indicates that the correlation persists.

<sup>b</sup> All expense is stated per \$100 of total payroll of the Tennessee Valley Authority.

Table II shows a similar correlation between the increasing investment in health and safety service and the declining costs of compensation for service-connected conditions. The net result is a substantial reduction in the total costs to the federal government of service-connected injuries and illnesses. In other words, experience indicates that there is greater economy in preventing the causes of the sickness and disability associated with employment by judicious investment in appropriate control programs than there is in paying for the effects of uncontrolled operation of cause. Assuredly, the collateral benefits in human values are not less important than the financial values.

#### INTEGRATION WITH LOCAL FACILITIES

THE fact that the health program of the Authority has to do with regional problems affecting the people in the Tennessee Valley, as well as with problems affecting its employees, means that it has been necessary to establish very close contact with the principal health agencies of federal, state and local governments. Of course, separate facilities could have been created, but it has been both more effective and more economical to work through and with existing agencies. The result is a more effective regional program and a better service for Authority employees.

This has been especially true in strengthening the services dealing with environmental sanitation, for in most instances a large portion of this work is carried out through the facilities of the local health departments. The Authority affords such assistance and consultation both in this work and in regional health problems as the state and local agencies may find desirable or helpful. Under certain circumstances where a major problem more or less overloads local facilities, cooperative relations are established through formal contracts providing the supplementation of the local activities program necessary to meet the emergency conditions.

No other area of the same size in the United States has such a diversity of climate, soil, vegetation and resources as do the states in the Tennessee Valley area. The region has an equal variety of health problems, ranging from respiratory infections in some sections to subtropical diseases in others. As earlier indicated, some problems are related to activities of the Authority in connection with its general program; others have a direct impact on Authority personnel since that personnel is recruited principally from the region itself.

The net result is a complex of activities in connection with which the Authority draws aid and cooperation from such federal agencies as the United States Public Health Service, the Department of Labor, the Department of Agriculture, Federal Employees' Compensation Commission, Bureau of Mines, Department of Interior, and the Bureau of Marine Inspection and Navigation.

Very direct aid and cooperation is drawn from the health organizations of the state

and local governments of the Valley. This policy ties the Health and Safety Department's work into the very grass roots of the region and enables that department to put the principal emphasis on the causes and conditions responsible for adverse influences affecting the health of employed personnel. A collateral advantage, of course, is that co-operative studies by the Authority and the state and local organizations lead into more complete solution of problems.

It need hardly be added that within the Authority itself there is the closest possible coordination of relationship, and that this is especially true of relations with the Personnel Department. Here, as has been implied previously, the coordination must be complete and detailed since the two departments have a common purpose in the overall objective, namely the conservation of personnel and their abilities. This, in the final analysis, is a primary managerial responsibility and to this purpose must be devoted the effort of each element of management, for each shares in the total obligation.



# Notes on the Writing of Multiple-Choice Test Items<sup>1</sup>

NORMAN LOCKE

**P**RESENT day civil service examinations are principally of the objective type, and in increasingly large part are being written in the form of the multiple-choice item. On the face of it, writing multiple-choice items is an apparently simple task, but there are several difficulties involved which often crop up when one tries his hand at it. Since writing this type of item requires a definite skill, the person in charge of examinations frequently finds it necessary to train a new member of the staff or a subject-matter consultant in the development of this skill. This trainee must be supplied with information on the manner in which multiple choice statements are constructed, and the examiner must work closely with the individual in a program of training until an acceptable level of proficiency is attained.

A simple procedure which has been employed in training people to write items is herein presented in the hope that it will be of help to others interested in the problem. Experienced test technicians will recognize in the following discussion methods and procedures that are for the most part already in use. However, it is seldom found that these procedures are reduced to writing to serve as training material, and it is in an effort to achieve this purpose that this article has been written.

<sup>1</sup> Expressions of opinion contained herein represent the point of view of the writer rather than official opinions of the Social Security Board.

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## STEPS IN TRAINING

**T**HE first step in the procedure is to give the trainee written material on the objective type examination. This can be presented in two parts: information on examination techniques in general; and specific information on how to write multiple choice item. The latter might define the item and its parts: (1) the leading phrase or premise; and (2) the alternative choices—the correct answer and the several “distractors.” It may mention the requirements of a well-written item, the form in which it is to be written, and it may state how each functions in testing the candidate. A general discussion of these various points supplements the training material and provides an opportunity to answer any questions which the trainee may have.

The second step is to have the trainee criticize the rough drafts of material which has been written for former examinations. This criticism is made in the light of the above requirements and serves to make the trainee keenly aware of the application of the general principles about which he has read. This necessitates assembling the efforts of others who have constructed examination material. These sample items should probably be so selected that they range in quality from good to bad, with the latter violating the principles of the soundly constructed item. The task of the trainee is to read the rough draft, discover the error committed by the writer, and then correct the error. These rough drafts are to be so presented that most of the simpler problems of correc-

tion are encountered first. It is probably best to have only one error involved in each item, changing from one type of error to another, and presenting errors that are progressively less and less obvious.

The third step is to take a book which is written in a simple style, such as an elementary text, and to work with the trainee on the construction of items. One method is to have both instructor and trainee read a paragraph together and decide whether it contains material which lends itself to a multiple-choice statement. It may be best to restrict the first few items to the premise and the correct alternative. Such errors as arise can thus be corrected immediately before the process is complicated by the problem of a number of distractors. The trainee writes the complete item whenever the instructor feels that he is capable of doing so. Finally the trainee works alone. It is of value if these trial items are laid aside without criticism for a day and then taken up again. Almost invariably the trainee perceives many of the faults which have crept into the material, and corrects them himself.

The final step is a general discussion of the common flaws which are found in multiple choice material. Since this aspect may be of some use to those charged with the responsibility of training, it will be elaborated upon in some detail.

#### SOME COMMON FAULTS

**A**MID the myriad causes of defect, three seem to recur. They may be summarized as follows:

1. A sentence is taken bodily from a book and called the premise of the item.
2. A sentence is divided at some arbitrary point and the first half considered the premise.
3. The alternative choices are written without controlled thinking.

In the first instance the difficulty that is created results from the fact that much of the meaning of the sentence is left in the

context. After reading for a while one falls into a mental set or orientation to the book in which the general meaning and purpose of the author as well as his usage of words are carried along. When the sentence is lifted from its context, however, this general background is left behind and one who reads the bare, isolated sentence is puzzled as to its meaning.

Another result of repeating a sentence exactly as written, which is shared with the second cause mentioned above, is that the sentence frequently is not in a form adaptable to the item. In general, a sentence which is thought to be a good source of examination material should be mulled over and rewritten until its meaning is entirely clear. When a sentence is broken into two parts, the flaw lies not only in the fact that the meaning becomes obscure, but also that the applicant is not presented with a definite task. A premise such as "A supervisor is:" leaves the competitor with no conception of what process of thought or judgment is required of him. The point at which to end the premise should be one at which the reader will know what he is to do with the alternative choices.

The third frequently found cause of difficulty results when the writer of the item does not channel his thought, but devises alternative phrases which are independent of each other. These distractors may be perfectly good ones so far as each individually is concerned but when taken as a whole they result in an item which lacks homogeneity. The distractors should be thought of as plausible alternate solutions to the problem set up by the premise.

#### STRUCTURAL DEFECTS

**S**O FAR as the structure of the item is concerned, there are two defects which can be mentioned. Frequently, the noun and verb are placed so far apart that the reader becomes confused. This is usually caused by clauses which are interpolated between the two and, for the most part, is easily corrected. The following examples illustrate the point:

*The greatest expansion in the selection of employees in the field of industrial personnel administration by the use of trade tests took place during the period from:*

This is improved somewhat by rearranging the material to read:

*In the field of industrial personnel administration, the greatest expansion in the selection of employees by the use of trade tests took place during the period from:*

There are, of course, other forms which this premise could take.

Redundancy can likewise detract from the value of the item. An example here is:

*The principle employed by some executives which is most helpful in a program directed toward the building of loyalty and good-will among subordinates is:*

Since the premise contains the word "subordinates" the phrase mentioning "executives" may be omitted. Likewise, mention of the "program" implies that it has direction. One constructive modification of this premise is:

*The principle which is most helpful in a program of building loyalty and good-will among subordinates is:*

As mentioned earlier, one of the most common deficiencies in writing the premise consists of failing to set a definite task before the reader. One principal cause of this is failure to get enough of the idea in the premise. This may occur because not enough material was included in the original writing or because the main idea has been moved to the distractors. The former reason is self-evident. An example of the latter is:

*In large offices, planning employee assignments on the basis of:*

1. *position in the organization should prove most effective;*
2. *duties and responsibilities should prove most effective;*
3. *etc.*

To overcome this, it is suggested that the

premise be treated as a completion-type item in which, it will be recalled, an incomplete sentence is presented and the reader is to supply the missing word or phrase. This serves to make one aware of the deficiencies in the premise. If one reads only the premise in the example given, the difficulty becomes clear immediately.

In writing the distractors several imperfections may occur. If one writes "The best source of information for obtaining data on population trends is:" he had best make sure that all of his alternatives are sources of information, for those which are not will eliminate themselves as distractors. This point would seem obvious, but it is frequently overlooked. Again, premises which contain such phrases as "Of the following factors," or "The leading principle" are often found to contain distractors which are not actually factors or principles, and are thus not related to the premise. Unless care is taken to have the distractors relate in the same fashion to the premise, they will stand out as obvious incorrect choices. An example is:

*That government agency concerned with the health of child workers is the:*

1. *Department of Labor;*
2. *Red Cross;*
3. *Department of Commerce;*
4. *Department of Health;*
5. *National Youth Administration.*

It will be noted that the second alternative, although probably a good distractor, is not a government agency and it thus can be dropped from consideration as the correct choice. The fourth distractor likewise may fail to function because of the same reason. The item may be rewritten by eliminating the concept of "government agency," or by making all the choices relate to government agencies, or in some related manner making the desired change. It may be helpful to think of the alternatives as branches stemming from a common trunk and thus being homogeneous.

Finally, an item which has four choices

that have some thought in common and a fifth that is unrelated is considered to be a poor one. Thus, four alternatives phrased in the negative and one in the positive, or four short choices and one long one, or a

similar phrase repeated four out of five times would not be in the best style. In writing such an item one unwittingly introduces an extraneous factor which confuses the competitor.

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# Problems of a Reclassification Survey

JOSEPH W. HAWTHORNE AND MURIEL M. MORSE

**A**MONG the generally accepted principles of position-classification are two that have particular significance to this discussion. One is that the function of such a classification is to study existing positions as they are found at a particular time, and place them in the classification structure in their proper inter-relationship. The second principle is that the agency responsible for the classification plan has nothing to do with the creation of positions or the assignment of duties to individual employees. The agency is concerned, of course, with the question of whether an individual assigned to do the work of any particular class is properly qualified for that class, but that is another matter, involving another set of facts.

Unless these two principles are applied in making the original classification survey, the resulting product is not a position-classification plan in the usual sense of the term. However, in applying these principles it is essential to recognize the important fact that a classification plan is not static, but is a dynamic thing. Positions are constantly changing in duties and responsibilities. For example, the introduction of a new machine may change duties throughout a sizeable portion of an organizational structure, or management may decide at a particular time to reorganize its work on a different basis,

or changes in a basic law may add to or take away from the work of a department so that the duties of many employees in such a department are changed materially. Any one of these will have repercussions in the over-all structure of the position-classification plan.

Despite the dynamic nature of positions in most organizations, it is often true that, after positions in a civil service jurisdiction have been studied and grouped into classes, the pressure of other work or the lack of available funds results in the classification plan remaining static for a number of years. During such time over-all management has of necessity been doing its work by making proper use of new techniques and by making organizational changes wherever such changes are necessary in order to improve the volume of output or to do a job with greater efficiency.

Such a condition is often allowed to continue until the inadequacy of the classification plan becomes so glaring as to demand a complete revision of the plan. In many instances it is decided to make a new survey of all existing positions and to develop a new classification plan, rather than to attempt to patch up the framework of the old one. Often a special group of classification experts is called in to do the work, and quite often this is a different group of experts from those who prepared the original plan. When the new plan has been completed and the consultants have departed, the regular employees of the civil service jurisdiction have the task of installing the recommendations.

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If any mistakes have been made in the course of developing the plan, it is usually up to the local staff to rectify those mistakes in order that the plan may fit the particular needs of the jurisdiction to the greatest possible extent.

The recent experience of the city of Los Angeles did not deviate in many particulars from the pattern just described. The survey was completed, but there were still a number of questions left unsolved, growing out of the application of the recommended plan to the various positions in the service as they had existed prior to the survey. This article will attempt to cover the principal areas in which these problems arose, in the hope that any general principles which emerge may point to practical solutions where similar situations are found in other jurisdictions.

#### PRINCIPAL PROBLEMS INVOLVED

**A** RESURVEY of a classification plan which has been allowed to remain more or less static for a number of years in a jurisdiction like Los Angeles raises three main questions, which must be met chronologically in the following order:

1. What is the status of civil service employees whose positions are reclassified?
2. When, if ever, is it necessary for an employee to take an examination to achieve status and transfer rights within a new class?
3. What are the seniority rights of individuals whose positions have been reclassified?

In arriving at answers to these questions, it is essential to keep in mind that a reclassification of positions gives rise to a number of legal and administrative problems involving the relationship between the employee and his job. A reclassification of persons in a large civil service jurisdiction results in at least nine typical situations. Each of these will be illustrated, and the problems of status and seniority to which they give rise will be discussed in the following pages.

**CASE I.** *All of the positions in an old class are put into a new class.*

Old Class				New Class			
A				B			
1	2	3	4	1	2	3	4
5	6	7	8	5	6	7	8
9	10	11	12	9	10	11	12

This case constitutes nothing more or less than a change in title in the class. The twelve positions represented by the numbers were, under the old system, grouped into a class represented by the letter "A." The reclassification survey grouped these same positions into another class, "B." In such an instance none of the individuals holding such positions are affected in any way other than by a change in title. Their original civil service examination qualified them to hold positions in the new class as well as the old. However the seniority rights of the individuals in Class "A" present another problem. This is especially true under charter provisions such as those prevailing in the city of Los Angeles, where the order of layoff is determined by the length of service an individual has in the particular class in which the layoff is to occur. The following general policy has been adopted by the Los Angeles Civil Service Commission for handling the mechanics of the seniority problem with respect to reclassified positions:

Seniority in any new class of positions created by the reclassification survey from any one or more old class titles continues to be credited to the old class title under which the individual was appointed. Thus, if an individual were appointed under the title "A," his seniority credit would continue under that title; if he were appointed under the new class title "B," his seniority would be credited thereunder.

No layoff is made of any person reclassi-

fied from any old class title until those who have been appointed to corresponding new class titles have first been laid off in accordance with their seniority in the new class. When all individuals originally appointed to new class titles have been laid off in any given class, further layoffs are made from old class titles. For seniority purposes, the Commission carries in its records the certifications of individuals in old class titles as long as individuals appointed under those titles remain in the service of the city.

The operation of this policy in Case I is fairly simple. Since all persons in the new class "B" would have been appointed more recently than anyone in "A," all individuals in "B" are considered for layoff first. Then if additional layoffs are necessary, persons reclassified to class title "B," but who took an examination and were appointed under the old class title "A," are considered in seniority order.

**CASE II.** *The positions in one old class are grouped into two or more new classes.*

Old Class			New Class		
C			F		
			1	2	3
1	2	3	E		
4	5	6	4	5	6
7	8	9	D		
			7	8	9

In this case the old class "C" contained positions 1 to 9, differing in duties and responsibility, but nevertheless sufficiently alike so that one examination was presumably considered to cover all the positions in the class. The resurvey, however, finds that these positions should be grouped, not into one class, but in a series of three new classes, "D," "E," and "F," on the basis of increasing difficulty and responsibility from "D" up to "F." Assuming that such a change is made and adopted, what are the status rights

of the individuals holding the positions under the new system?

To digress for a moment, it may be stated that such a question should be handled on the general principle that no individual is to be deprived of any right he has legally been enjoying. Carrying this farther, one might say that no individual be deprived of any right he might reasonably be presumed to have been legally enjoying. Going even a bit farther than that, one might say that no individual be deprived of any right which he enjoyed unless it simply could not reasonably be said that it was a legal right. Under such a liberal policy, it would seem that there should be no opposition to a new classification plan. The chances are that such opposition will not materialize unless individuals complain, not about what they received, but about the fact that some one else gets better treatment.

With this as background, let us return to Case II. Under the proposed policy, the individuals holding positions 1, 2, and 3 would be placed in class "F"; those holding positions 4, 5, and 6 would be placed in class "E;" and those in positions 7, 8, and 9 would be placed in class "D"—all without further examination. All of the employees involved should be quite content with the outcome. And everybody will be if it is assumed that the individuals holding positions 1, 2, and 3 are holding them because they were better able to perform those more responsible duties, which would undoubtedly be the case. If those holding any of the positions 4 to 9 inclusive feel aggrieved because they are not being put in class "F," they have only to remember that they had not attained the positions which properly belong in class "F," and that they are not being deprived of any right which they had under the old system of classification.

Each individual would then hold status in the new class to which he had been assigned, but where more than one new class is involved the seniority rights of individuals are best explained by reference to the following diagram:

## CASE II. Layoff Order

Old Class	New Class	Layoff order in class F:
C	F	1—F
	E	2—E and/or D
	D	3—C

It is assumed that, later on, examinations are given and persons appointed under the new class titles "D," "E," or "F." If lack of work or funds should subsequently require lay-offs in "F," seniority rights are first considered for those in class "F" who have been examined for that class title, secondly, for those in "E" and/or "D," and lastly, for those who have been reclassified from the old class "C." Not only would persons appointed under the original class title "C" have more seniority than those in the three new class titles, but it must be assumed that their original examination was sufficiently comprehensive to include any of the positions now classified in "D," "E," or "F." Therefore, their assignment to any positions in any of the three new classes is proper and they could not be laid off until all persons in "D," "E," and "F" have first been laid off.

CASE III. *The positions in two or more old classes are grouped into one new class.*

Old Class			New Class		
I			J		
1	2	3			
H			1	2	3
4	5	6	4	5	6
G			7	8	9
7	8	9			

This is the reverse of Case II, but does not present as many difficulties. Here it is found that, in spite of the existence of the old

classes "G," "H," and "I," positions 1 to 9 are sufficiently similar that differentiation in duties and responsibility is difficult and a single examination will suffice for all of the positions. In reclassifying them into the single new class "J," no individual is affected adversely. If the duties in "G," "H," and "I" are sufficiently similar now to be covered by one examination, individuals in these three classes achieve status in the new title "J" without further examination. Moreover, anyone who was formerly employed in "G" would have the right of assignment to any position in the new class "J."

The question of seniority rights is handled by first considering the layoff rights of those persons appointed under the new class title. In the event that further layoffs are necessary, the department in which the layoff occurs determines in which of the three old classes the layoff is to take place. The practical difficulty of deciding which employees did which work in the old classes makes it almost impossible for the personnel agency to determine accurately that employees in "G" did "G" work rather than work in "H" or "I." Thus this determination is left to the department. In the case of Los Angeles, departments in general are adopting the policy suggested by the Civil Service Commission of laying off employees in total seniority order, this being the fairest method of handling the situation. Thus, in Case III, the seniority rights of all individuals in "G," "H," and "I" would be considered together for layoff procedure, and a certain number of individuals laid off in each of the three classes. The following diagram represents the sequence of layoff in such a situation.

## CASE III. Layoff Order

Old Class	New Class	Layoff order in class J:
I	J	1—J
H		2—G, and/or H, and/or I
G		



CASE IV. The positions in an even number of classes in a series of classes are re-grouped into a larger odd number of classes.

Old Class			New Class		
K			M		
1	2	3	1	2	3
4	5	6	N		
L			4	5	6
7	8	9	7	8	9
10	11	12	O		
			10	11	12

In this case something new has been added—the factor of overlapping and the necessity of considering inter-class transfers in the new classification plan. Under the policy previously formulated, positions 1, 2, and 3 would be placed in class “M,” positions 4 to 9 would be placed in class “N,” and positions 10, 11, and 12 would be placed in class “O.”

In computing seniority rights in this case there is also a complicating factor in that seniority in the new class “N” is a composite of parts of two former classes “L” and “K.” When layoff is to occur in any of the three new classes, “M,” “N,” or “O,” then the seniority of individuals will be considered according to the following diagrams:

#### CASE IV. Layoff Order

Old Class	New Class	Layoff order in Class M:
K	M	
	N	1. M
		2. N
		3. K

Old Class	New Class	Layoff order in class O:
	N	
L	O	1. O
		2. N
		3. L

Old Class New Class

K	M
	N
L	O

Layoff order in class N:

1. N
2. M and K and/or O and L

On the theory that persons appointed to old class titles have status and the right of assignment to any of the positions in any of the new classes of which the old class was a part, the department would lay off individuals in “M” and “N” before proceeding to consider seniority rights of persons reclassified from “K;” likewise, persons would be laid off in “N” and “O” before any person reclassified from “L.” When a layoff is to occur in the new title “N,” and more persons than those appointed to “N” are to be considered, then the department makes the decision as to whether persons who have been reclassified from “K” or from “L” are to be laid off.

Referring to the diagram in Case IV, the person in position 6 might complain that the person in position 9 is getting something more than he deserves, but if the person in position 6 will remember that he himself is being treated fairly, he should not complain because the only fair treatment that is possible under the circumstances is likewise being accorded the person in position 9.

The case of the person in position 9 who has been placed in the new class “N” raises the question of whether or not he can subsequently be transferred to positions 4, 5, or 6 in the new class, even though he has been given status without further examination in position 9. Whether or not this is possible would, it seems, depend upon a determination by the personnel agency as to whether or not the examination for the old class “L” could be considered as covering not only the new class “O” and part of

the new class "N," but also the remainder of class "N." In making such a decision the assumption would be that the old examination was sufficient unless such an assumption could not reasonably be made, and while the employee would retain seniority in "L," it is probable that his transfer to any position in the new class "N" would be approved.

**CASE V.** *The positions in an odd number of classes are regrouped into a lesser even number of classes.*

Old Class			New Class		
P			S		
1	2	3	1	2	3
Q			4	5	6
4	5	6	T		
7	8	9	7	8	9
R			10	11	12
10	11	12			

This is the reverse of Case IV and occurs when, for example, a series of three classes is combined into a two-class series. This offers no new problems. Positions carry status at the same level as before without examination even though the personnel agency may decide that a new set of class lines should be superimposed on the positions as they exist. Seniority would be handled as in the previous cases. Layoffs would first be made in "S," then in either "P" or "Q." Since an individual in "Q" has the right of assignment to any position in "T," this in turn would occasion a layoff of persons in "T." If the old class "Q" is determined to be the place of layoff, then all persons in "S" and "T" must be laid off before anyone in "Q" is affected. Whether or not a person occupying position 4, 5, or 6 in the old class "Q," and who later holds position 4, 5, or 6 in the new class "S," could transfer to position 1, 2, or 3 in the new class "S" would have to be determined on the

basis of the nature of the examination for the old class "Q." Similarly, the question of subsequent transfer from position 10, 11, or 12 to position 7, 8, or 9 would depend on the adequacy of the examination for the old class "R." In such cases the personnel agency would probably be inclined to adopt a liberal policy in determining whether or not the original examination was sufficiently comprehensive to cover both classes.

**CASE VI.** *The positions in two or more old classes at the same level are combined into a single new class.*

Old Classes			New Class		
U	V	W	X		
1	2	3	1	2	3

This case is similar to Case I and offers no new problems. Individuals holding positions 1, 2, and 3 in the old classes "U," "V," and "W," respectively, hold those same positions in the new class "X" without examination. Seniority is handled in the same manner as in Case III, and any person in "U," "V," or "W" would quite properly have transfer rights to any position in the new class "X."

**CASE VII.** *The positions in an old class are regrouped into two or more new classes at the same level.*

Old Class	New Classes	
Z	AA	BB
1 2	1	2

This is the reverse of Case VI and is similarly handled. The person holding position 1 in the old class "Z" continues to do the same work in the new class "AA" and the person who held position 2 in the old class "Z" continues in that position in the new class "BB," both without examination. Layoff seniority in this case is handled in the same manner as that which has already been outlined for handling similar situations arising under Case II.

**CASE VIII.** *A position in an old class has been found upon resurvey to have become by accretion a position in a higher new class.*

Old Class	New Class
	DD 1
CC 1	

An example of a case of this type would be a person occupying position 1 in the old class "CC" who had been regularly appointed to that position from the list set up by examination for that class. As the years rolled by the position gradually acquired new duties and greater responsibilities and the classification survey reveals that the position belongs in class "DD."

How such an individual could continue to work in class "DD" under the rather peculiar provisions of Article IX of the Los Angeles City Charter is not entirely clear to the authors, but fortunately for all concerned the City Attorney has ruled that such an individual is not illegally employed in continuing the work of position 1 in class "DD" without examination. His status, however, appears to be in class "CC," rather than "DD," which would prevent his transfer to other positions in class "DD." His seniority would accrue in class "CC" while he continued in position 1 in class "DD."

Such a situation seems a bit anomalous and needs further clarification. Pending final establishment of policy in such cases it would seem advisable for such an individual to take the next promotional examination for class "DD," in order that he might acquire full status rights to the class. He could take the examination with the knowledge that he has nothing to lose as far as position 1 in class "DD" is concerned, but that he stands to gain full rights of transfer

and seniority within the new and higher class.

**CASE IX.** *A position in an old class has been found upon resurvey to have become by diminution a position in a lower new class.*

Old Class	New Class
EE 1	
	FF 1

This is the reverse of Case VIII. For example, a person occupied position 1 in the old class "EE." The resurvey, however, indicates that the job has gradually decreased in duties and responsibilities and is now in the new class "FF," which is a full level lower than "EE." Here, even more fortunately for the individual than in Case VIII, he is "not illegally employed" in the new class. But he is "not illegally employed" as an employee in class "EE" with all the rights and privileges to transfer to other positions in class "EE." Needless to say, he does not have to take an examination to hold position 1 in the new and lower class "FF."

**T**HIS rather lengthy discussion has reviewed the effects of a specific reclassification plan and, perhaps amazingly to some, has not mentioned a single case in which an examination was required to give an employee status in a reclassified position. As a matter of fact, under the policies and procedures that have been outlined, there is no case where a person will ever have to take an examination solely because his position has been reclassified.

True, as a result of the survey it will be found that a few people are doing work a class or two higher than that for which they took an examination. Refer back to Case IV

for example. In rare instances an individual might have been regularly appointed to position 12 in class "L." The resurvey shows that he is doing the work of position 1 in class "M." Such an individual has two choices. He can do the work of position 12 in new class "O" without an examination. But to do the work of position 1, even under the old classification plan, would have required an examination. The point is that in those rare instances in which an examination will be required, the requirement is due not to the reclassification plan but to the requirement

of the Los Angeles City Charter that promotions shall be by examination.

At the present time the Civil Service Commission is engaged in a review of each individual case. Employees are notified as soon as possible as to the effect of the reclassification on their status. In those rare instances in which it appears that a person's status in his reclassified position is open to question, the final decision is made in conference with a representative of the employee, a representative of the management, and a representative of the Civil Service Commission.

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# Candidates' Appraisals of Civil Service Tests

NORMAN J. POWELL AND SHERMAN TINKELMAN

**T**HIS paper describes the results of a recent New York City Civil Service Commission experiment, the purpose of which was to obtain applicants' judgments as to the adequacy of the tests taken by them. The data are presented with the view of suggesting a pattern which other public personnel agencies may utilize in checking on certain validity and public relations phases of their examining procedures.

Three potential values were thought to be possessed by the experiment of inviting applicants to express their opinions of the tests administered to them:

1. The candidate tends to acquire attitudes favorable toward the Commission inasmuch as the Commission is taking an obvious and overt interest in what he thinks. Because proper civil service administration is objective and impersonal, there is probably a tendency for the person seeking public employment to regard the public personnel agency as a soulless entity which blandly passes and fails people with concern neither for their feelings nor their future. To ask of the candidate his judgments about the test is, in all likelihood, to tend to make him feel that he and his sentiments are objects of concern.

2. Suggestions useful for establishing optimum methods of public personnel administration may be obtained. The appli-

cant is, to be sure, a biased source of information. Nevertheless, it is distinctly possible that some candidates are able to detect flaws and point out virtues which may not have been manifest to the examining agency. It would be ludicrous of course to include in a test only that material which examinees wanted to be included within the test or to reject forthwith questions which they preferred not to be asked. Yet it is altogether feasible to consider each suggestion on its merits and to have decisions as to adoption, rejection, or modification of applicants' ideas be matters for the discretion of the personnel agency.

3. The procedure offers a rough check on the extent to which examinations meet one of the major qualifications of an efficient selection instrument for the public service—that the test possess positive public relations value. Even if a test yields an accurate measure of the desired attributes, it is nevertheless defective approximately to the degree that non-technicians believe it to be bad. There is no necessary incompatibility between intrinsic excellence and the appearance of excellence. The combination may not be possible in all instances but, in any event, application of the candidates' appraisals method does make it possible to learn the extent of acceptance which the test technique has found.

## DESCRIPTION OF STUDY

**I**N THIS report are summarized the results of trying out the program with four written tests: Senior Statistician, Assistant

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Director of Public Assistance, Director of Public Assistance, and Junior Physicist (Radiation). These tests were selected because they provided simple, easily controlled situations with few candidates.

Testees were requested to give two kinds of judgments. First they were asked to indicate for each individual question whether or not they believed that it made "a considerable contribution toward selecting the most competent candidates." Then they were asked to record their overall judgments on the test as a whole with respect to such qualities as difficulty, thoroughness, and the like. The specific queries contained in this second phase of the study are shown in Table 1.

Inasmuch as no statistically reliable differences were revealed among applicants' appraisals of the four tests studied, individual test results have been combined and the tabular presentation is of a summary character. The point in pooling the separate test findings is that analysis of the trivial differences among the different tests represents an unnecessary and misleading refinement. What is of value is information concerning the public relations impact of the examining program. Fixation of attention on any single test has diagnostic usefulness only where significant differences are found among the several tests utilized.

The data elicited from the candidates will be discussed in terms of the three potential contributions already enumerated as being inherent within the technique of having applicants give their reactions to tests.

1. *Is the appraisals procedure successful in helping create candidates' attitudes favorably toward the Commission?* Though no careful experiment has been set up to elicit data on this point, it is known that a number of candidates have expressed verbally complimentary views on the procedure, and that several candidates have asked for copies of the questionnaire in order to think through the possibility of being able to apply the technique in their own administrative work. Additional evidence is available

in the fact that virtually 100 per cent cooperation has been received from candidates. Even persons who have withdrawn from the written test have consented to fill out the questionnaire. Not only have applicants cooperated voluntarily, but also they have chosen to sign the questionnaires which they fill out. All in all, it would appear reasonable to believe that the procedure is helpful in promoting desirable public relations.

2. *Are candidates able to make suggestions useful to future examining?* A number of concrete recommendations resulted from the administration of the questionnaire. In some cases, for instance, candidates took the position that individual question items were academic and unrelated to actuality. Apparently, sprinkling test items with the title of the job for which the test is given helps to promote favorable reactions by candidates. Not all test items can be treated in this way, of course, but frequent use of such constructions as "Suppose that as Administrative Assistant you faced the problem of . . ." tends to "sell" the examination question.

Other examples include cases where candidates' remarks emphasized the need for explicit consideration of the proper relationship between the nature of qualifications required for admission to the examination and the nature of the test questions, the necessity for tryout of essay questions to establish satisfactory test time allowances, the desirability of permitting candidates to use reference materials in place of requiring memorization of certain types of information.

3. *Do candidates believe that they are tested fairly and well?* Table 1 supplies information in this regard. Noteworthy is the fact that the judgments of candidates are generally favorable. They believe that the tests are well calculated to select the best candidates (by a vote of about  $2\frac{1}{2}$  "yes" votes to 1 "no" vote); that tests are not too difficult (by a ratio of 12 favorable votes to 1 unfavorable vote); tests are fair (by a vote

of 3 to 1); tests are thorough (2 to 1); not too academic (3 to 1); not too subjective (3 to 1); directions are consistently clear and unambiguous (15 to 1); questions are clear (3½ to 1); time is ample (5 to 4); written test weight is satisfactory (3½ to 1); test administration is good (3½ to 1); typography is excellent (47 to 0); distribution of emphasis among the test items is satisfactory (2 to 1).

#### ANALYSIS OF RESULTS

ALL in all, the record speaks well for the New York City Civil Service Commission. So far as the technical aspects of the tests are concerned, between three and four times as many favorable as unfavorable evaluations are made by candidates. It is reasonable to conclude that, on the whole, the public relations value of the tests is of high calibre.

Even if the "?" judgments, the responses given by those persons whose appraisals were neither favorable nor unfavorable, are included in the analysis and grouped in the unfavorable category, the "ayes" still have it, though the margin of superiority decreases measurably. In the two queries of major significance the majority vote is favorable. The vote is 1½ to 1 in favor of the opinion that the test is valid and 2 to 1 that the test is fair.

In three queries the favorable judgments outweigh the combination of unfavorable and "?" by a small margin; in one instance judgments are evenly distributed between the certainly favorable and the negative or uncertain; in two cases the sum of the negative and "?" responses exceeds that of the positive.

In the case of judgments on the satisfactoriness of the weight of the written test,

TABLE I. CANDIDATES' OVER-ALL JUDGMENTS ON FOUR WRITTEN TESTS

RESPONSES *			QUERY
F.	U.	?	
28	11	8	1. Was the test well calculated to select the best candidates?
37	3	8	2. Was the test too difficult?
32	11	5	3. Was this a fair test?
25	13	10	4. Was the test sufficiently thorough?
33	10	5	5. Was the test too academic?
30	11	7	6. Is the correctness of candidates' answers too greatly a matter of personal opinion?
24	20	4	7. Would the competence of candidates have been measured as well if a multiple choice test had been used?
18	18	12	8. Would the competence of candidates have been measured as well if a larger number of questions requiring briefer answers had been used?
36	10	2	9. Was the question meaning clear and unambiguous throughout?
44	3	1	10. Were the directions clear and unambiguous throughout?
25	19	4	11. Was enough time allowed for the candidate to demonstrate his competence?
26	7	15	12. Was the weight assigned to this test satisfactory?
36	10	2	13. Was the administration of the test (freedom from noise, promptness of beginning, monitorial assistance, etc.) satisfactory?
47	0	1	14. Was the type size, spacing, etc. sufficiently satisfactory to enable the candidates easily to read the questions?
30	12	7	15. Was the information included in the advertisement for this position helpful to the candidate in deciding whether he was qualified?
18	23	7	16. Was the information included in the advertisement for this position helpful to the candidate in preparing for the test?
29	11	8	17. Did the test give satisfactory attention to important subject matter?
518	192	106	Total

\* Significance of responses is as follows:

F—signifies that the response by the candidate was favorable to the examination.

U—signifies that the response by the candidate was unfavorable to the examination.

?—signifies that the candidate was presumably doubtful and had no firm opinion on the matter.

there are 26 favorable, 7 unfavorable and 15 "?" evaluations. There is no way of knowing precisely what the questionable replies signify but it is not unreasonable to infer that the "?" responses are due to the candidates' feeling that they do not know the answer, that they have no basis for either a categorical "yes" or "no" appraisal. Here, then, the best index of candidates' impressions is probably the difference between the positives and the negatives, leading to the conclusion that certainly weight was not deemed unsatisfactory and probably that it was considered satisfactory.

The query as to whether sufficient time was allowed for the demonstration of applicants' competence was answered "yes" by 25, "no" by 19 and "?" by 4 persons. Here the inference appears validly to be that despite the majority opinion that time was ample, the minority is large and sure of the position that not enough time was allowed. There is room for improvement in this aspect of the public relations phase of the examining process.

Responses to the query as to whether tests were sufficiently thorough were of great interest. Here 25 persons said "yes," 13 "no," and 10 were uncertain. The basis for the "?" responses is not clear. *A priori* one would maintain that candidates feel that they know enough to decide whether a test is or is not thorough. Yet one-fifth of all the judgments are "?". The sampling limitations of the essay tests given to these candidates are well known and one basis for believing an inference of "not thorough" to be accurate. Yet in estimating test validity, 38 candidates said "yes," only 5 said "no," and a mere 2 were uncertain. The situation is quite confused but is certainly not grossly unfavorable to the Commission and is probably substantially favorable to it.

Queries 7 and 8 may be considered jointly. Apparently, candidates believe that either a multiple choice or brief answer test would have been as effective as the essay test actually given. The inference is that the essay test, as such, is neither especially liked

nor disliked and carries no intrinsically bad or good feeling tone.

The sole case of a palpably negative response is that to the query as to whether the examination announcement had contained information helpful to the candidate in preparing for the test. Of the 48 judgments given, 18 were "yes," 23 "no" and 7 doubtful. The advertisement, it may be presumed, has some but not great value in guiding candidates' study. Whether applicants resent this condition is not known. Whether the Commission ought to modify this condition is a debatable matter. This brings out quite clearly the policy problem confronting the central public personnel agency: Is it wise to include such information in examination announcements? A chief argument against it is that it may stimulate cramming; a principal argument for it is that it may save the jurisdiction time and money.

#### REACTIONS TO TEST QUESTIONS

CANDIDATES' judgments on the individual examination questions are summarized in Table 2. The four written tests considered contained different numbers of questions, accounting for the fact that there is much variation among the number of total judgments given for any single question.

TABLE 2. CANDIDATES' EVALUATIONS OF EACH QUESTION IN FOUR WRITTEN TESTS

QUESTION	FAVORABLE	UNFAVORABLE	?
1	38	5	2
2	38	7	1
3	35	6	4
4	35	9	2
5	32	7	6
6	14	12	3
7	21	6	2
8	22	4	3
9	15	2	2
10	17	1	1
11	8	7	4
12	14	4	1
13	11	4	4
14	14	4	1
15	13	4	2
16	8	8	3
17	12	4	3
18	9	3	7
19	7	4	8
20	6	7	6
Total	369	108	65



The most striking inference to be drawn from the table is that individual questions are favorably regarded by candidates. The total number of favorable judgments is about  $3\frac{1}{2}$  times that of the unfavorable judgments. Worthy of note also is the fact that a relatively small percentage of the evaluations are "?". Applicants tend to take a forthright position in declaring whether or not they consider questions to be valid. In the case of only one question of all four examinations did the number of unfavorable judgments exceed that of the favorable and here the difference was small (7 unfavorable responses to 6 favorable).

IT WOULD appear that the entire experiment to obtain candidates evaluations of tests has been sufficiently effective to warrant its extension. The New York City Bureau of Research is now expanding the program to cover practical and oral tests. After some experimentation with these, the procedure will be extended further to include large written tests.

In conclusion, then, it would appear that the technique outlined constitutes a potentially valuable instrument for use in the diagnosis of written, oral, and practical examination deficiencies and the mapping out of therapeutic programs.

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# Examination Monitoring by Civic Groups: A Case Report

KENDALL I. LINGLE

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**E**XAMINATION monitoring is a continuing function of personnel agencies which entails considerable planning and thought. The problems of test administration are particularly acute in the larger state agencies where it is usually impractical to attempt to assign a sufficient crew of agency staff members to each examination center. Ordinarily, local school administrators or teachers have been used in giving examinations. The turnover among such groups has often been high and supervision is necessarily inadequate. Because of these conditions, many agencies have found it extremely difficult to obtain and hold competent and reliable field monitors.

As is true of most activities, examination monitoring has been seriously affected by the war. Many of the local monitors on whom agencies formerly relied have entered the armed forces, or are unavailable for the work because of related war work they have undertaken. On the other hand, gas and tire rationing have required that more attention be given to the situation of candidates in state-wide jurisdictions who must travel to examinations, and this has created the need for an increase in the number of examination centers, with a related increase in the size of monitoring staffs. Finally, it has become altogether impracticable with present travel restrictions in force, to send full staffs of monitors from the central office to examination centers many miles distant.

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## THE LOCAL PROBLEM

**W**HEN the Citizens' Civil Service Association of Illinois<sup>1</sup> undertook in 1941 to sponsor a program of examination monitoring by civic groups for the Illinois State Civil Service Commission, the problems outlined above had not yet become acute but many of them could be anticipated.

In addition, the local situation carried with it other elements which focused attention on examination administration. There had been a change in leadership in the state civil service agency and efforts were being made to revitalize a personnel program that had long suffered from underfinancing and its accompanying ills. Public support of the merit system was at a low point, and legislative investigation into the past history of state civil service had come forth with charges of sundry irregularities, not the least of which concerned incompetent examination administration. It was alleged, for example, that the integrity of the whole merit program was jeopardized by examination monitoring which was not sufficiently thorough to prevent comparison of answers by candidates and similar undesirable practices. In replying to these allegations, the Commission emphasized past limited appropriations which had left the agency with little or no funds for engaging a sufficient number of examination monitors.

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<sup>1</sup> The Citizens' Civil Service Association of Illinois, originally founded in 1882, is a non-partisan group of several hundred citizens throughout the state which has as its purpose the adoption and strengthening of sound merit system principles in the various political subdivisions of the state.

Considering all these elements in the situation, the Civil Service Association suggested to the new president of the Civil Service Commission that the Commission attempt to interest civic groups, such as the League of Women Voters, the Illinois Federation of Women's Clubs, and similar groups, in accepting responsibility for test administration in the various examination centers throughout the state.

The arguments for such a program were many: the organizations which would be asked to cooperate in the experiment were represented in the Civil Service Association and thus had a real stake in the effectiveness of the state civil service system; the integrity of these local persons would hardly be questioned by legislators or others interested in the merit system; the membership of the cooperating organizations was large and well distributed over the state; the problem of financing such a program would be relatively small because the reason for participating would be one of civic duty rather than financial gain. Finally, and this was perhaps the most important consideration of all, active participation in the civil service program by a large group of civic-minded persons would represent the best possible method of rehabilitating civil service in the state because it would allow widespread dissemination of information concerning the methods and policies of the Commission among the various active and interested civic groups.

#### INAUGURATION OF THE PROGRAM

ACCORDINGLY, it was decided to begin the program with a state-wide examination to be held in June, 1941. In April, the director of the Civil Service Association prepared and distributed a newsletter outlining the program, and discussed plans and procedures with the leaders of the civic groups concerned. Local committees on public personnel administration, which existed in many community civic organizations, were contacted and informed of the projected program. Despite the hurried nature

of the original recruiting, more than 100 volunteers offered their services for the first series of examinations. The Civil Service Association, acting for the Civil Service Commission, assigned monitors to various centers on the basis of the examination load. The Commission prepared a statement outlining the duties of monitors which was distributed to all volunteers. In addition, a member of the Commission's staff met with the volunteers in each center on the afternoon of the day preceding the examinations in order to give advice on monitoring procedures, check assignments, and answer questions concerning the work.

The first examinations held under the plan were handled to the complete satisfaction of the Commission. The percentage of absenteeism among monitors was very low, they worked conscientiously and for long hours, and they learned the procedures readily. Most of the monitors expressed an interest in continuing the work in the future. Many of them stated their satisfaction with the examining procedures which they had witnessed and in which they had participated. The group was convinced of the fairness and effectiveness of civil service procedures in the best way possible—through an actual demonstration of the procedures to which they had long been giving lip service.

Monitors were paid \$1.50 for each day they served. The amount of the fee was set after considerable attention had been paid to the general question of whether or not any payment should be made. It was agreed that if payment were to be made, it should be nominal in amount. The primary appeal to the group engaged in the experiment was that of civic duty, and it was felt that, by setting a relatively high fee, the "job" aspect would overshadow the point that the group was being offered opportunities to render a civic service. Again, the financial position of the Commission was such that it could not pay full fees to a large group, and a large group was needed, not only to serve the public relations purposes of the experiment, but also because of the inexperience of the

volunteers.<sup>2</sup> It seemed plain, however, that the program would be placed on a surer foundation and control over individual monitors would be increased if some payment were made. Consequently, the fee of \$1.50 was decided upon and in the literature sent to the volunteers, the fee was described as reimbursement for necessary travel and meals, rather than as payment for the monitoring services.

#### SOME SIGNIFICANT FINDINGS

TO SOME extent the experience of the Illinois Civil Service Commission in the use of civic groups as a source of examination monitors may have implications beyond the fact that this particular device proved to be very effective. Experiments with volunteer services of various kinds have quite often fallen short of success. The reasons usually given for this lack of success are various, but one which recurs relates to the necessity for continuous solicitation of services and the need for delicate handling of the personal relationships involved in such a program. It is possible, however, that the difficulties involved in using volunteer service have been over-emphasized and that some of the steps which have appeared necessary in such procedures have, in fact, contributed to their failure. The Illinois experience appears to bear out such a contention. For example, dropping some vol-

<sup>2</sup> The volunteer group spent more than 900 man-hours in the work of monitoring the examinations. At the regular hourly rate paid by the Commission for monitoring work, this would have cost more than \$500. Actual expense, however, was approximately \$250.

unteers who were willing to continue to act as monitors might not only seem to be a sign of ingratitude, but might even appear to endanger the future of the program. However, this action was taken in some instances after the first trial of the new system. A rating form for monitoring activities was designed and the Civil Service Commission staff members rated each volunteer monitor. Those who fell below a predetermined rating were not invited to serve again.

Again, it might be expected that considerable effort would be necessary to keep the volunteer group interested in continuing the function once the novelty had worn off. To forestall the necessity for a constant campaign to keep up interest in the program, a supervisor has been appointed in each examination center and is held responsible for seeing that a sufficient number of monitors is available for each examination. This supervisor, who is in each case a club woman, serves without additional compensation. She is notified as far in advance as possible of the monitor requirements of each examination and is expected to handle the details from that point on.

Although procedures such as these may appear to be high-handed treatment of volunteers, it may be said that, judged pragmatically, they are successful. There are now available for monitoring duty more than 350 women throughout the state of Illinois and there is no reason to believe that the program will not be continued in the future in as satisfactory a manner as it has in the past.



# The 1942 Annual Conference on Public Personnel Administration

## -A PROGRAM SUMMARY<sup>1</sup>

**T**HE Thirty-fourth Annual Conference on Public Personnel Administration, sponsored by the Civil Service Assembly of the United States and Canada, together with the annual business meeting of the Assembly, took place in St. Paul, Minnesota, on October 1, 2, and 3, 1942. Meeting headquarters were at the Hotel St. Paul.

### THURSDAY, OCTOBER 1

**T**HE Annual Conference was called to order at 9:30 A. M. by President Ismar Baruch, who introduced Mrs. Harington Beard, Chairman of the Minnesota State Civil Service Commission, and Mr. Joseph J. Mitchell, Commissioner of the St. Paul Civil Service Bureau. Mrs. Beard and Mr. Mitchell extended a cordial welcome to the attending delegates in behalf of their respective agencies. Mr. Baruch then read messages of greeting from President Roosevelt and from a number of governors and mayors throughout the country. He then announced appointments to the Auditing, Nominating, and Resolutions Committees, as follows:

*Auditing Committee.* Henry F. Hubbard, Staff Assistant, Council of Personnel Administration, United States Government; and Henry J. McFarland, Director, Municipal Service Bureau, New York State Department of Civil Service.

*Nominating Committee.* George F. Gant, Director of Personnel, Tennessee Valley

Authority; W. Leonard Johnson, Director, Indiana State Personnel Division; Howard P. Jones, Commissioner, New York State Department of Civil Service; Alma Price, Secretary and Personnel Director, Jacksonville Civil Service Board; and William K. Smith, Acting Executive Officer, California State Personnel Board.

*Resolutions Committee.* I. J. Browder, Personnel Director, Alabama State Personnel Department; Robert M. Hart, Chief, Classification and Pay, Minnesota Civil Service Department; Harry W. Marsh, President, New York Municipal Civil Service Commission; Rena B. Smith, Regional Manager, Eighth United States Civil Service Region; and Edgar B. Young, Personnel Officer, United States Bureau of the Budget.

The remainder of the morning program was devoted to three concurrent sessions, under the general subject title, "Adjusting Recruitment and Selection to Wartime Needs." The groups were divided as follows: (1) federal and state personnel agencies; (2) personnel agencies in state departments, counties, and large municipalities; and (3) personnel agencies in smaller municipalities and in municipal departments. Representatives of the several agencies reported on measures that had been taken in their jurisdictions to meet wartime difficulties in the recruitment and selection of public employees.

At the Thursday luncheon meeting, Herman Finer, Staff Member of the International Labour Office and authority on the British Civil Service, spoke on "Manpower

<sup>1</sup> In accordance with a policy approved by the Executive Council of the Civil Service Assembly, the practice of publishing a detailed record of the organization's annual meeting program has been altered in favor of a summarized account.

in Great Britain—the Problem and Its Solution.” Mr. Finer gave the delegates a vivid picture of the problems involved in the utilization of manpower in wartime and described the various steps that have been taken by the British Government to meet these problems.

The afternoon program was devoted to two concurrent panel discussions. One, under the chairmanship of Edgar B. Young, Personnel Officer of the United States Bureau of the Budget, was devoted to problems of pay adjustment. The second, under the chairmanship of George F. Gant, Director of Personnel of the Tennessee Valley Authority, discussed “Research as An Aid to Better Management.” The day’s program was completed by an evening session in which delegates gathered in two groups to discuss “Mechanical Aids and Labor-saving Methods” and “Providing a Program of Employee Services.” Discussion leaders were, respectively, W. Leonard Johnson, Director of the Indiana State Personnel Division, and Henry F. Hubbard, Staff Assistant, Council of Personnel Administration, United States Government.

#### FRIDAY, OCTOBER 2

**T**HE Friday morning program opened with two concurrent breakfast sessions, devoted to the subjects: “Establishing a New Personnel Agency,” and “Operating Problems of Federal Regional Personnel Officers.” Discussion in the first of these sessions was led by Willard E. Parker, Director of Personnel of the Louisiana Department of State Civil Service. Charles E. Mills, Director of Personnel of the Office for Emergency Management, led the discussion at the second breakfast session.

Two concurrent panel discussions followed the breakfast meetings. One of these, “Maintaining Position-Classification Plans,” was under the chairmanship of Merrill J. Collett, Staff Member of Public Administration Service. The second panel, under the chairmanship of Blaine Hoover, Superintendent of Employment of the Chicago

Park District, was devoted to a discussion of “Selecting and Training Personnel Staff Apprentices.”

The Friday afternoon program opened with concurrent sessions devoted to the subjects: “Selecting and Training Administrators,” and “Selecting and Training Semi-skilled Labor and Apprentice Craftsmen.” The first of these panels was under the chairmanship of Emery E. Olson, Assistant Chief, Examining Division in Charge of Administrative Placements, United States Civil Service Commission. The second panel was headed by Robert I. Biren, Staff Member, Public Administration Service.

The annual business meeting of the Civil Service Assembly of the United States and Canada convened at 4:15 P. M. After opening the meeting, the President informed the delegates of their voting rights. First order of business was the election of officers. The chair called for the report of the Nominating Committee. Mr. Howard P. Jones, Chairman of the Committee reported as follows:

*For President*, Mr. Ismar Baruch, Chief of the Personnel Classification Division, United States Civil Service Commission.

*For members of the Executive Council (regular three-year term)*, Mr. W. L. Henderson, Personnel Director and Secretary, San Francisco City and County Civil Service Commission; and Mr. Harry W. Marsh, President, New York Municipal Civil Service Commission.

The President called for any further nominations. There being none, a motion was duly made, seconded, and carried, accepting the report of the Nominating Committee. Upon further motion made, seconded, and carried, the Secretary was instructed to record an unanimous ballot re-electing Mr. Baruch President of the Assembly for a year, and electing Messrs. Henderson and Marsh members of the Executive Council for regular three-year terms.

The President then called for the report of the Auditing Committee. Mr. McFarland, Chairman of the Committee, submitted the following report:

To the President  
and Members of the Civil Service Assembly

Your Auditing Committee has carefully studied the certified copy of the financial activities of your organization for the fiscal year ending December 31, 1941, as furnished by Arthur Young and Co., a firm of certified public accountants. Your Committee is happy to report that all accounts appear to be in proper order.

Respectfully submitted  
AUDITING COMMITTEE  
(Signed) Henry J. McFarland, Jr.  
(Signed) Henry F. Hubbard

Upon motion duly made and seconded, the report of the Auditing Committee was accepted and adopted.

The President then called for the report of the Resolutions Committee. The Chairman of the Committee, Mr. Edgar B. Young, then presented several resolutions individually. The action taken on each was as indicated.

Upon motion duly made and seconded, the following resolution was adopted:

BE IT RESOLVED, That the Civil Service Assembly urges its member agencies and individual members to accept, as their most important task in the war effort, the conservation and full utilization of manpower to the end that each citizen may make his maximum contribution to victory whether it be in military service, war industry, or essential governmental activity.

Upon motion duly made and seconded the following resolution was adopted:

BE IT RESOLVED, That the members of the Civil Service Assembly of the United States and Canada convening in St. Paul, Minnesota, October 1-3, 1942, express our appreciation to our official hosts and to the Hotel St. Paul for the careful and considerate arrangements which have contributed materially to the success of the 34th Annual Conference on Public Personnel Administration.

Upon motion duly made and seconded, the following resolution was adopted:

WHEREAS, There is need for maintaining flexibility in the program of the Civil Service Assembly to meet rapidly changing situations brought about by wartime conditions,

BE IT THEREFORE RESOLVED, That the President of the Assembly be authorized to reorganize or abolish any committee created by action of the Assembly, or to create any new committee, as may be necessary to enable the Assembly to contribute effectively to the successful prosecution of the war.

The President then asked Mr. C. L. Campbell, retiring member of the Executive Council, to serve temporarily as Chairman of the business meeting to enable the President to report to the membership as Chairman of a subcommittee of the Executive Council charged with responsibility for studying the membership dues structure and voting rights of the organization. Mr. Baruch then informed the members that his subcommittee had made a careful canvass of the dues and voting rights with a view toward making alterations that would result in an increase in the net income of the Assembly from this source. In the course of its study, the subcommittee had circulated a questionnaire among the Assembly membership seeking to obtain information and suggestions that would be helpful in determining the nature of any changes to be recommended. The subcommittee had subsequently prepared a report recommending the adoption of a resolution amending the bylaws of the Assembly to effect certain changes in the dues rates for active agency members, together with related changes in the voting rights of this class of membership. The report of the subcommittee, containing the proposed amendment to the bylaws, had been duplicated and sent to all active agency members thirty days in advance of the annual business meeting.

Mr. Baruch then moved the adoption of the recommended resolution. The motion was seconded, and the following resolution was adopted unanimously:

RESOLVED, That Articles 3 and 4 of the Bylaws of the Civil Service Assembly of the United States and Canada be hereby amended to read as follows:

#### ARTICLE 3. MEMBERSHIP, ELIGIBILITY, AND ANNUAL FEES

ACTIVE MEMBERSHIP. There shall be two kinds of active members: agency and individual. Any civil service commission, public personnel office or agency, or any public body vested with legal authority to administer a formal system of public employment shall be eligible for active agency membership upon payment of the appropriate fee, according to the following schedule of classifications:

1. A fee of \$100 annually shall be required for the central personnel agency of a national government; or for the central personnel agency of a state, prov-

ince, territory, or regional authority; or for the central personnel agency of a city, county, or district government embracing an area containing more than 200,000 population.

2. A fee of \$50 annually shall be required for the central personnel agency of a city, county, or district government embracing an area containing a population between 50,000 and 200,000; or for a departmental personnel agency serving 2 or 3 departments of a governmental jurisdiction, which have a combined total of 500 or more employees.

3. A fee of \$25 annually shall be required for the central personnel agency of a city, county, or district government embracing an area containing less than 50,000 population; or for a departmental personnel agency serving 2 or 3 departments of a governmental jurisdiction, which have a combined total of less than 500 employees; or for a departmental personnel agency serving only one department of a governmental jurisdiction.

As used in the foregoing schedule, the term "central personnel agency" shall refer to a personnel agency serving 4 or more departments of the governmental jurisdiction in which it is located, and the term "departmental personnel agency" shall refer to a personnel agency serving less than 4 departments.

Any officer or staff member of any agency eligible for active agency membership shall be eligible for active individual membership upon the payment of \$10 annually, and election by a majority vote of the Assembly in session or of the Executive Council; provided, that the annual fee shall be \$5 in cases where the individual is a staff member of an active agency member.

**AFFILIATE MEMBERSHIP.** There shall be two kinds of affiliate members: agency and individual. Any public official or other person or organization interested in improved personnel administration in accordance with the principles of the merit system in public employment, and in its extension, may be elected to affiliate membership by majority vote of the Assembly in session or of the Executive Council, on the payment of \$10 annually in the case of affiliate agency members, or \$5 annually in the case of affiliate individual members.

**STUDENT MEMBERSHIP.** Any student interested in improved personnel administration in accordance with the principles of the merit system in public employment, or any staff member of an active agency member who occupies a position as intern or apprentice in public personnel administration shall be eligible for a student membership by majority vote of the Assembly in session or of the Executive Council, on the payment of such annual fees and under such conditions as may be prescribed by the Executive Council.

**HONORARY MEMBERSHIP.** Persons who have rendered distinguished service in advancing or upholding the purposes of this Assembly may be elected by majority vote of the Assembly in session to honorary life membership without fee. The num-

ber of such members, however, shall at no time exceed 15.

The Executive Council may fix the respective membership fees: (1) in the case of governmental jurisdictions in which there are several independent personnel agencies interested in membership, (2) in those cases where national personnel agencies have branch offices in a state or region, and (3) in all other cases not specifically covered by this article. The Executive Council shall also have the power to remit all or any part of the fees herein specified upon such conditions as it may determine.

#### ARTICLE 4. VOICE AND VOTE

All members shall have a voice in the proceedings of the Assembly. All matters calling for decision by the Assembly shall be decided by a majority vote of the active agencies represented and active individual members present and voting. Each agency entitled to and having a \$100 active membership in the Assembly shall have four votes. Each agency entitled to and having a \$50 active membership shall have two votes. Each agency entitled to and having a \$25 active membership shall have one vote. Each active individual member present shall have one vote, provided, however, that the number of votes cast by the active individual members from any one agency, when voting either singly or as a group, shall not serve to increase the number of votes to which an agency of its classification is entitled, or if the agency is not a member, the number of votes to which it would be entitled were it a member of the Assembly. The voting shall be by voice or by ballot as the Assembly shall determine.

**BE IT FURTHER RESOLVED,** That the foregoing amendments to Articles 3 and 4 of the By-laws of the Civil Service Assembly of the United States and Canada become effective on January 1, 1944, and that their provisions apply to all new memberships and to renewals of membership beginning on or after that date.

Mr. Baruch then resumed the chair and James M. Mitchell gave a brief summary of the report of the Secretary and Treasurer. (See Appendix A, following, for text of the Secretary's report.) Following this, reports of activities were given by representatives of the three regional conferences of the Assembly: Harry W. Marsh, Eastern Regional Conference; Blaine Hoover, Central Regional Conference; and John Steven, Western Regional Conference.

There being no further business to come before the meeting, on motion duly made and seconded, the annual business meeting was adjourned.

On Friday evening, delegates attended an



informal dinner and dance in the Hotel St. Paul.

SATURDAY, OCTOBER 3

THE Saturday morning program was devoted to a general session, "Meeting Manpower Demands in the Civilian Public Service." The panel discussion of the subject was led by Lloyd M. Short, Director of the Public Administration Training Center of the University of Minnesota.

Guest speaker at the luncheon meeting was the Honorable Harold E. Stassen, Governor of Minnesota. His subject, "A Projected Philosophy of Public Administration," centered about the importance of a sound merit system in the over-all scheme

of present-day public administration.<sup>2</sup>

The final session of the program on Saturday afternoon, entitled "Where Do We Go from Here?" was devoted to a review of significant developments and trends that had been disclosed during the Conference, and a projection of such trends into the future. G. Lyle Belsley, Executive Secretary of the War Production Board, served as chairman of the panel discussing the subject.

A post-conference social gathering early Saturday evening was held following the close of the meeting.

<sup>2</sup> An adaptation of Governor Stassen's speech appeared in the last issue of *Public Personnel Review*. See Harold E. Stassen, "A Projected Philosophy of Public Administration." *Public Personnel Review*, October, 1942, pp. 259-64.

APPENDIX A

REPORT OF THE SECRETARY—THIRTY-FOURTH ANNUAL  
BUSINESS MEETING OF THE CIVIL SERVICE ASSEMBLY

St. Paul, Minnesota, October 2, 1942

THE historical months which have passed since the Civil Service Assembly held its last annual meeting in Jacksonville have been a period within which the field of public personnel administration has been put to a most severe test. The fact that public personnel agencies everywhere are standing up under this test is a tribute to the selfless devotion to duty of hundreds of men and women in personnel agencies at every governmental level. Nothing speaks more eloquently than this, I believe, of the increasing awareness that public personnel administration is today a profession. Like any other profession, it has its self-imposed standards of service to the community, and these standards have been lived up to by those in the public personnel field under the most trying conditions.

During the war months, the Civil Service Assembly, your own professional organization, has endeavored through its Headquarters Office to carry on the fullest possible program of services to its membership. That those services are filling a need is demonstrated by the

fact that the membership of the Assembly has continued to grow, and the members, individually, are finding that the services which they receive through membership are increasingly worth while in this critical period. These services will be touched upon in greater detail at a subsequent point, for they represent the tangible assets of membership in the organization.

Today, the figures on Assembly membership have reached an all-time high of 960 members. If this rate of increase is maintained over the remaining months of 1942, we will have the pleasure of welcoming into the organization the one thousandth member before the beginning of another calendar year. This growth in membership becomes all the more impressive when it is recalled that, at the Assembly's meeting in San Francisco in 1939, the membership figures had then reached an all-time high of 400. But in the three years that have passed since that time, over 500 additional public personnel agencies and individuals have joined the organization. In other words, the membership has more than doubled in three years' time. It

would seem that no further proof than these figures is required to establish that the Assembly's program, as determined by the Executive Council, is receiving a favorable acceptance.

ONE major part of this program has been that of conveying to the membership a steady flow of information concerning developments in the field through the Assembly's regular publications. These are the monthly *CSA News Letter* and *Public Personnel Review*, the Assembly's quarterly journal. The *News Letter*, now in its eighth year of publication, serves the purpose of keeping the members posted on newsworthy developments in the field—material that they would not normally receive through any other channel.

*Public Personnel Review* was launched in April, 1940, as a result of an expression on the part of the membership for the need of a publication of this type. It is now nearing its third birthday. In the ten issues which have been published, there have appeared sixty-three articles which, taken as a group, deal with most of the broad phases of public personnel administration. Almost without exception, the broad significance of these articles would have readily justified their publication as separate pamphlets, were it not for the fact that the *Review* was available as a publication medium. Assuming that they were published individually, however, it would mean that Assembly members would have received a pamphlet dealing with some administrative or technical phase of personnel administration at the rate of one every two weeks for the last two and a half years.

In addition to these articles, however, the *Review* contains additional worthwhile features. The "Court Decisions" section, edited by H. Eliot Kaplan, the Executive Secretary of the National Civil Service Reform League, has carried citations and comments on more than 200 significant cases in the field of civil service law. Judging from comments that have been received from personnel administrators, they and their legal counsels have found this section to be invaluable in meeting problems of legal interpretation and administration.

The "Book Review" section and the "Article Abstract" section round out the magazine. In editing these departments, an effort is made to provide as complete a coverage as possible of

all current books and periodical literature dealing with the several aspects of public personnel administration, both in the United States and abroad.

The outstanding thing about *Public Personnel Review*, to my mind, is the fact that it is written by Assembly members for Assembly members. Contributors to its pages have given generously of their time in preparing articles, legal notes, book reviews, and abstracts. In every sense of the word it is a cooperative enterprise.

IN ADDITION to these regular periodical publications, the Assembly has carried on a long-term program of special publications. Foremost of these is the series, "Policies and Practices in Public Personnel Administration." The majority of you are already familiar with the series as a whole and, judging from the sale which the various volumes already published have enjoyed, most of you already have several of the volumes in your professional library. Early in 1942, the fourth volume in the series was published: *Employee Relations in the Public Service*, the report of a committee headed by Gordon Clapp, General Manager of the Tennessee Valley Authority. This report, like those which preceded it, has evoked enthusiastic comment. Speaking of the report, one reviewer said ". . . A volume which will commend itself to every governmental administrator, personnel officer, and student of administration who is alert to the vital importance of the subject. . . This extremely valuable and provocative report deserves a wide reading."

Within the next few weeks, a fifth volume will be added to the series: *Recruiting Applicants for the Public Service*. This report has been prepared by a committee under the chairmanship of J. Donald Kingsley, Professor of Government at Antioch College. The Committee's report is most opportune, for it comes at a time when the problem of securing qualified applicants is one of the most difficult obstacles which personnel agencies are now facing. I am confident that it will join the other volumes that have already been published in meeting a long felt need in our field.

The fact that such a need exists, and that these volumes are meeting it, is amply proved by the rate at which they have sold. Already, a second printing of the volume *Position-*

*Classification in the Public Service* has been required, and it now appears that a third printing will soon be needed to meet the continuing demand. All of the other reports are also having a wide demand, and if the present rate of sales continues, it will be possible to carry through the remainder of this publishing program to completion.

Another item in the Assembly's publishing program is represented by the recently published *Readings in Public Personnel Administration*, which has come off the press within the last week. This volume consists of a selected group of articles which have appeared in *Public Personnel Review* during the last three years. Many of you have seen copies of the *Readings* displayed here at the Conference. We believe that this type of publication will be of material assistance in colleges and universities throughout the country that are now giving courses in public administration and in public personnel administration. It should also be of value to new staff members of public personnel agencies as a source of orientation and information concerning current practices in the field. As a glance at the content of the volume will show, the sixteen articles which it contains cover most of the major aspects of public personnel administration in terms of topics of broad and general significance. It was this consideration, rather than literary merit or technical excellence alone, that governed their selection for republication.

PUBLICATIONS such as I have described do not represent the full total activities of this character. One of our objectives has been to transmit as much information as possible concerning adjustments that are constantly being made in the policies and methods of personnel agencies to meet the exigencies of this wartime period. To this end, there was published and distributed to the membership a special bulletin, *Wartime Policies of the United States Civil Service Commission*, representing significant changes in practices at the federal level. As a complement to this, the Assembly also published and distributed to the membership the results of a survey, "Overcoming Wartime Personnel Shortages." This study represented a coverage of more than 100 public personnel agencies at various governmental levels throughout the country.

One by-product of the war has been the increased extent to which Assembly members have made use of the test exchange service. During the last year, the test exchange files have been expanded to a substantial extent, and the procedures for the operation of the exchange have been systematized to the end that requests for test material may be filled with all possible speed. Here, again, the cooperation of Assembly members has been of great value in building up a service which has been a "life saver" to many a hard-pressed member agency.

THROUGH its President and its headquarters secretariat, the Assembly has been represented in a number of activities of national importance during 1942. Perhaps the most significant of these was a survey conducted recently by the United States Civil Service Commission at the request of the War Manpower Commission to determine the comparative extent to which key personnel in the civilian public service at the state and local levels have been lost to the armed services, to defense industry, and to the federal government. The major purpose of the study was to discover whether the portion of key personnel from state and local governments that has been taken into the federal service represents a loss sufficiently large to warrant the establishment of control measures. The major finding of the survey disclosed that this is not yet the case. An important by-product of the study is the establishment of machinery for a continuation of fact-finding to the end that such control measures may be instituted if an acceleration of the trend demonstrates their need.

Two years ago, at the annual conference in Cleveland, authorization was given for the Assembly's cooperation in the study of the problems of cooperation between personnel agencies. Since that time, the Assembly's headquarters staff has joined with a special staff of the United States Civil Service Commission in carrying forward this study. This cooperative personnel recruitment survey has resulted in a significant increase in cooperation and coordination between state and municipal agencies throughout the country and the United States Civil Service Commission. One tangible outcome of the project has been the supplying of state and local eligible lists to the federal service to meet wartime demands. Other significant

data growing out of the undertaking are now being digested in a report that is being prepared for the information of the United States Civil Service Commission. One conclusion to which this report will point is the desirability of continuing the project on the basis of the encouraging results that have been thus far obtained.

THESE, then, are some of the high spots in the activities of the Assembly during the last year. It is appropriate, also, that the Secretary's report touch upon some of the trends and tendencies that are apparently emerging in these times. One, with which you are all familiar, I am sure, is that personnel agency staffs have been depleted and will continue to be depleted in the months to come. For example, one municipal agency lost all but one of a technical staff of six persons within a very short period. Other agencies have been more fortunate, perhaps, but all are finding it difficult to retain a staff adequate to handle their work loads, and to replace those who leave. This points to the need for establishing within each agency the facilities for developing staff replacements. At the same time, the abilities of staff members must be put to the best possible use through upgrading and through the use of experienced technicians in supervisory capacities wherever possible.

Regarding their programs as a whole, personnel agencies have been forced to make many adjustments to meet current conditions. These conditions present a paradox in that manpower shortages make the filling of vacancies more difficult than ever before, and at the same time operating agencies are calling for greater speed in meeting their needs for personnel. Some of the devices that have been adopted to meet the situation are the open continuous eligible register, the filling of many positions on a provisional basis, the lowering of established qualifications, and the breaking down of residence restrictions. Perhaps the most important development has been the increased extent to which women are being employed in types of work hitherto looked upon as requiring male em-

ployees. The virtually untapped "womanpower" of the country may yet prove to be a major solution to the present manpower shortage, but much must yet be done in breaking down outmoded prejudices against the employment of women. Private industry, and particularly defense industry, has done this with notable success, and there is no reason why the public service cannot do the same.

The over-all manpower problem is one that yet remains to be solved. A coordinated national policy to this end is something that may be forthcoming before many more months have elapsed. How this will affect the recruiting and selection activities of public personnel agencies is yet hard to predict. It may be that national manpower mobilization will serve to take from our state and local personnel agencies some of their present functions. This does not mean, however, that the need for sound public personnel programs in the states and cities will be in any way diminished. On the contrary, there will be an even greater need for the assistance to management which only the personnel agency can give in carrying on such in-service activities as placement, transfer, training, and similar activities. I am confident that the coming months will find an increasing number of our member agencies engaged in those activities, some of them for the first time.

ALL of these trends point to one conclusion—that during these times civil governments will be called upon to do a bigger job and a better job than ever before. Because of their pivotal place in the machinery of government, public personnel agencies must assume a large share of that task. By continuing to work together, by sharing information concerning new methods and techniques, we can all adhere to the principles of sound personnel management while at the same time we contribute a substantial share to the fight for life in which democratic government today is everywhere engaged.

Respectfully submitted,  
JAMES M. MITCHELL, *Secretary*



APPENDIX B

LIST OF REGISTRANTS—1942 ANNUAL CONFERENCE  
ON PUBLIC PERSONNEL ADMINISTRATION

- Aertker, William, Personnel Technician, Louisiana Department of State Civil Service, Baton Rouge.
- Anderson, William, Professor, Department of Political Science, University of Minnesota, Minneapolis.
- Andreen, Helen, Student, University of Minnesota, Minneapolis.
- Antila, John, Business Representative, City and County Public Service Union, Duluth, Minnesota.
- Aronson, Albert H., Chief, State Technical Advisory Service, Social Security Board, Washington, D. C.
- Aslakson, Mrs. Arnold, League of Women Voters, Minneapolis, Minnesota.
- Atkinson, Myron H., Merit System Supervisor, North Dakota Merit System Council, Bismarck.
- Bane, John, Supervisor, Merit System Council for the Department of Public Welfare, Jackson, Mississippi.
- Bankston, Jesse, Chief, Transactions, Louisiana Department of State Civil Service, Baton Rouge.
- Barnett, Robert M., Director of Personnel, Federal Security Agency, Washington, D. C.
- Barry, Laurence, Technician, Minnesota Civil Service Department, St. Paul.
- Barry, Mrs. Laurence, St. Paul, Minnesota.
- Bartlett, Mrs. David H., Ramsey County League of Women Voters, St. Paul, Minnesota.
- Baruch, Ismar, Chief, Personnel Classification Division, U. S. Civil Service Commission, Washington, D. C.
- Beard, Mrs. Harington, Chairman, Minnesota State Civil Service Board, St. Paul.
- Beer, Robert D., Assistant Manager, Veterans Administration, Minneapolis, Minnesota.
- Beer, Mrs. Robert D., Minneapolis, Minnesota.
- Beggs, Lt. K. G., United States Navy, Washington, D. C.
- Behn, Robert, Technician, Minnesota Civil Service Department, St. Paul.
- Bellanca, James V., President, Detroit Civil Service Commission, Michigan.
- Belsley, G. Lyle, Executive Secretary, War Production Board, Washington, D. C.
- Betters, Harry R., Acting Director, U. S. Conference of Mayors, Washington, D. C.
- Bigelow, C. Ray, Secretary and Examiner, Denver City & County Civil Service Commission, Colorado.
- Bigelow, Mrs. C. Ray, Denver, Colorado.
- Biren, Robert I., Staff Member, Public Administration Service, Chicago, Illinois.
- Blix, Ovid B., Associate Chief Examiner, Milwaukee City Service Commission, Wisconsin.
- Briggs, Audrey L., Civil Service Technician I, Minnesota Civil Service Department, St. Paul.
- Brolyer, Cecil, American Public Health Association, New York, New York.
- Browder, I. J., Director of Personnel, Alabama Personnel Board, Montgomery.
- Buckley, James L., Assistant Director of Personnel, Department of Agriculture, Washington, D. C.
- Bunch, R. W., Director of Personnel, National Youth Administration, Washington, D. C.
- Cameron, W. T., Chief Safety Adviser, U. S. Department of Labor, Washington, D. C.
- Camit, Ernest J., Chief Clerk, Cook County Civil Service Commission, Chicago, Illinois.
- Campbell, C. L., Director, Division of Classification, New York State Department of Civil Service, Albany.
- Capper, S. D., Chicago Personnel Officer, Federal Deposit Insurance Corporation, and Alien Property Custodian, Chicago, Illinois.
- Carty, Joseph G., Personnel Director, Port of New York Authority, New York, New York.
- Cavanaugh, E. E., Chairman, Fort Dodge Civil Service Commission, Iowa.
- Chase, Vernon, Chairman, Dearborn Civil Service Commission, Michigan.
- Chester, H. M., Personnel Administrator, Georgia Department of Public Health, Atlanta.
- Clark, Leslie, Office of Emergency Management, Chicago, Illinois.
- Collett, Merrill, Staff Member, Public Administration Service, Chicago, Illinois.
- Collett, Mrs. Merrill, Chicago, Illinois.
- Collier, Shirley, Secretary to the Director, Indiana State Personnel Division, Indianapolis.
- Connor, Joseph, Associate Regional Manager, U. S. Civil Service Commission, Chicago, Illinois.
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- Cornell, Herbert, Chief Examiner and Secretary, Milwaukee City Service Commission, Wisconsin.
- Crothwait, Major S. W., Chief, Personnel Standards Sections, Civilian Personnel Division, Army Air Forces, Washington, D. C.

- Culhane, Thomas L., Technician, Minnesota Civil Service Department, St. Paul.
- Cumming, Roger, Office of Price Administration, St. Paul, Minnesota.
- Cunningham, Dr. T. S., Commissioner, Davenport Civil Service Commission, Iowa.
- Cushman, Charles, Director, Rhode Island Department of Civil Service, Providence.
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- DeLong, Earl, Review and Negotiations Officer, U. S. Civil Service Commission, Washington, D. C.
- Denger, Fred, Commissioner, Davenport Civil Service Commission, Iowa.
- Donovan, J. J., Assistant Director, Civil Service Assembly, Chicago, Illinois.
- Dougan, Kenneth E., Senior Staff Member, Civil Service Assembly, Chicago, Illinois.
- Dougher, Leo, Secretary and Examiner, Dearborn Civil Service Commission, Michigan.
- Drake, Russell, Chief of the Administrative Services Unit, State Division of Social Welfare, St. Paul, Minnesota.
- Eagle, Mrs. Alice, Examiner, Indiana State Personnel Division, Indianapolis.
- Eck, Carl W., Personnel Director, Midland Cooperative Wholesale, Minneapolis, Minnesota.
- Elkin, Charles W., Personnel Officer, Farm Security Administration, Little Rock, Arkansas.
- Enblom, Mrs. John, League of Women Voters, Minneapolis, Minnesota.
- Ernst, George W., Vice Chairman, Milwaukee Fire and Police Commission, Wisconsin.
- Errant, James W., Manager, Chicago Municipal Employees' Society, Chicago, Illinois.
- Errant, Mrs. James W., Chicago, Illinois.
- Feder, Daniel D., Executive Officer and Supervisor, Illinois Civil Service Commission, Springfield.
- Felix, Betty Jean, Junior Personnel Technician, Alabama State Personnel Board, Montgomery.
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- Fiss, Corwin B., Chief, Recruiting and Examining Division, Minnesota Civil Service Department, St. Paul.
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- Furia, John J., Director, Bureau of Training, New York City Civil Service Commission, New York.
- Furia, Mrs. John J., New York, New York.
- Gale, Mrs. S. C., League of Women Voters, Minneapolis, Minnesota.
- Gant, George F., Director of Personnel, Tennessee Valley Authority, Knoxville.
- Geehan, Robert M., Minnesota State Employees Local Union No. 10, St. Paul.
- Gory, Adrian E., Chief Personnel Technician, Buffalo Civil Service Commission, New York.
- Graydon, S. W., Director of Personnel, Atlanta Personnel Board, Georgia.
- Graydon, Mrs. S. W., Atlanta, Georgia.
- Griswold, Henry, Principal Examiner, Cook County Civil Service Commission, Chicago, Illinois.
- Gunter, Elder, Director of Personnel, Wichita Personnel Department, Kansas.
- Gurwell, Jack, Press Representative, Civil Service Assembly, Chicago, Illinois.
- Haack, Ernst A., Personnel Technician, Minneapolis Civil Service Commission, Minnesota.
- Haberkorn, William P., President, Cook County Civil Service Commission, Chicago, Illinois.
- Hadley, B. H., Executive Secretary, Miami Civil Service Board, Florida.
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- Hansen, A. H., Personnel Director, Metropolitan Utilities District, Omaha, Nebraska.
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- Hart, Mrs. Robert M., St. Paul, Minnesota.
- Hartley, Paul A., Personnel Director, Indiana University, Bloomington, Indiana.
- Hauser, Walter U., President, Minneapolis Civil Service Commission, Minnesota.
- Havener, M. J., Chief, Appointments, Records and Retirements, Government Printing Office, Washington, D. C.
- Havener, Mrs. M. J., Washington, D. C.
- Heinselman, M. L., Student Personnel Assistant, Minnesota Civil Service Department, St. Paul.
- Heinselman, Mrs. M. L., St. Paul, Minnesota.
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- Henderson, Mrs. Harold L., St. Paul, Minnesota.
- Henderson, W. L., Personnel Director and Secretary, San Francisco City and County Civil Service Commission, California.
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- Pennebaker, Kenneth C., Director, Minnesota Civil Service Department, St. Paul.
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- Piccard, Mrs. Jeannette, Minneapolis, Minnesota.
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- Read, Donnel, Chief, Examining, Louisiana Department of State Civil Service, Baton Rouge.
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- Scarce, R. Elliott, Director of Personnel, St. Louis Department of Personnel, Missouri.
- Schallert, Clarence, Commissioner, Milwaukee City Service Commission, Wisconsin.
- Schallert, Mrs. Clarence, Milwaukee, Wisconsin.
- Schmitt, Harry A., Village Manager, Village of Shorewood, Wisconsin.
- Scoboria, Glendon A., Personnel Director, Connecticut Department of Personnel, Hartford.



Share, Nathaniel, Senior Personnel Examiner, Detroit Civil Service Commission, Michigan.

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Van Buskirk, Mrs. Elizabeth, League of Women Voters, St. Louis, Missouri.

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Weaver, Harry A., Commissioner, Fargo Civil Service Commission, North Dakota.

Wedda, Joseph A., Commissioner, Detroit Civil Service Commission, Michigan.

Weiler, George, Vice President, Milwaukee City Service Commission, Wisconsin.

Weiler, Mrs. George, Milwaukee, Wisconsin.

Westby, George, Assistant Supervisor, Iowa Merit System Council, Des Moines.

Wilson, Tom, Board Member, Kansas Civil Service Department, Chanute, Kansas.

Wilson, Mrs. Tom, Chanute, Kansas.

Wilson, Thomas J., State Personnel Director, Michigan Civil Service Commission, Lansing.

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Wolf, Harold F., Personnel Officer, Colorado State Department of Public Welfare, Denver.

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Worke, R. H., Jr., Clerk, Nashville Civil Service and Pension Board, Tennessee.

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# COURT DECISIONS

EDITED BY H. ELIOT KAPLAN

**St. Louis Charter Amendment Construed—Constitutionality—Powers of Commission—Employment of Advisory Personnel Experts—Residence Qualifications—Effective Date of Special Provisions—Jurisdiction over Dismissals.** The city of St. Louis adopted a new charter in 1914. The charter included a civil service provision setting up an "Efficiency Board" which, it was contemplated, would perform the usual functions and assume the responsibilities of a personnel agency similar to a civil service commission.

On September 16, 1941 by referendum vote the civil service provisions of the charter were superseded by a new proposal setting up a civil service commission in place of the old Efficiency Board with a personnel director responsible for administration of the new system. (Article 18, St. Louis Charter.)

The new amendment expressly struck out all the provisions of the old Article 18 for which the new amendment was substituted. It was provided (Section 30) that the new amendment

shall take effect immediately, except that payrolls may be certified and payments be made thereon, under the provisions of previously existing Charter provisions, and ordinance and rules, applicable thereto, during such temporary period not to exceed one year as is necessary, in the opinion of the Civil Service Commission, to provide for the Director of Personnel, the rules, the classification and compensation plans, the ordinances, the allocation of the existing positions to their appropriate classes and the fixing of the rates of compensation thereunder, and the forms and procedures, necessary for full compliance with the provisions of this Article.

Immediately after adoption of the new amendment there arose a controversy as to

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whether the old Efficiency Board was continued in existence and its jurisdiction continued until a personnel director had been appointed and new civil service rules promulgated; or whether the new Civil Service Commission had immediate jurisdiction over all matters, superseding entirely the Efficiency Board which, it was claimed, had been expressly abolished by the new amendment.

The dismissal of many employees soon after the adoption of the new amendment precipitated a rather bitter controversy. Neither the new Civil Service Commission nor the Efficiency Board sought to take jurisdiction. The City Attorney advised the Mayor, and a special counsel employed by the Civil Service Commission likewise advised the Efficiency Board, that the Board's jurisdiction continued until the new Civil Service Commission was ready to operate.

Complicating the already confused situation that developed were attacks made on the validity of the new charter amendment; controversy over the control of appropriations and unexpended funds of the Civil Service Commission; attempt to preclude the Commission from employing outside advisory experts; and a challenge of the Commission's authority to employ a personnel director not a resident of the State of Missouri.

A series of test cases was brought to help clarify these issues. The cases were decided recently by the Missouri Supreme Court, and the substance of the Court's decisions on each of the points is discussed under the following headings.

**Constitutionality.** The law was attacked as invalid because the amendment excepted certain classes of employees from its operation and was therefore discriminatory in character and constituted a violation of the equal protection

clause of the 14th amendment to the Constitution of the United States. The court referred to the settled rule that reasonable legislative classifications have always been sustained. All that is required is a reasonable relationship between the principle of classification adopted and the ends sought to be accomplished in the legislation. Here it was claimed the amendment exempted from its operation employees of certain commissioners and employees of the Board of Aldermen. In holding this classification reasonable, the court stated:

While it is unquestionably desirable to adopt a uniform merit system for the employment of municipal civil servants it can easily be seen that the employment of agents of certain special commissioners can best be left to the members of those commissions who are presumably experts in performing the work entrusted to them. It is also a universal custom, supported by some reason, to permit legislative bodies to control the appointment of their own employees. This court cannot, therefore, say that the classification here made was inherently unreasonable.

It was also proper to exempt from examination incumbents of positions when the provision took effect. The theory of such exemptions "is that the present employees have already proven their fitness by past service."

A section of the charter amendment placed the familiar restrictions on political activities by civil service employees. To the claim that this constituted a deprivation of property without the process of law, the court replied that the right to hold office has never been considered as "property" within the meaning of the 14th amendment. There is no denial of equal protection, since the public interest supports the separate classification of civil service employees as a group which should be free from political ties. Such a classification is reasonable. There is no interference with the employees' constitutional right of free speech, the court held, and quoted the familiar expression of the late Justice Holmes:

The petitioner may have a constitutional right to talk politics, but he has no constitutional right to be a policeman. There are few employments for hire in which the servant does not agree to suspend his constitutional rights of free speech as well as of idleness by the implicit terms of his contract. The servant cannot complain, as he takes the employment on the terms which are offered him. On the same principle the city may impose any reasonable condition upon holding offices within its control.

It was further contended that the new charter provision unconstitutionally vested in the

Civil Service Commission and the personnel director the power to make rules and also the power to hold hearings on complaints, and in the course thereof to subpoena witnesses and examine them under oaths. It was alleged that these powers entrusted in them a co-mingling of executive, legislative, and judicial powers and thus violated Article 3 of the Missouri state constitution providing for separation of such powers. The court doubted whether the restrictions of the Missouri constitution applied to municipal governments, but held nevertheless that even if the separation of powers applies to city governments, "we are not convinced that the constitutional provisions, rightly understood, are violated by the new charter provisions." The court went on to point out that administrative agencies in a complex modern state must necessarily perform functions of the character vested in the Civil Service Commission and the personnel director, and stated that this has long been the practice in connection with such agencies as the Interstate Commerce Commission, the Workmens' Compensation Commission and the Supervisor of Liquor Control, all of which agencies "lie upon the uncertain borderline between the various departments of government, and are constitutionally entrusted with powers which are in the nature of a combination of legislative, executive and judicial powers."

It was further alleged that the charter amendment makes an unreasonably large appropriation for the maintenance of the city civil service system. "Without passing upon our right to review the reasonableness of such an appropriation," stated the court, "it is sufficient to say that there is no evidence in the record before us that the appropriation is unreasonable." The charter provision authorizing the Civil Service Commission by agreement with other city departments to conduct examinations of applicants for license issued by other departments was challenged as arbitrary and unreasonable. The court upheld the validity of the delegation to the personnel department of the function of giving tests for licensees where it appears that the law authorizes any department of the city to require an examination as a condition precedent to the issuance of the license.

*Authority of Commission.* The Supreme Court was also called upon to define the scope

and extent of some of the powers of the St. Louis Civil Service Commission under the new amendment. (*Kirby v. Nolte*, 164 S. W. (2d) 1.) Among the issues raised and determined were:

1. The amendment permits the city civil service commission to obtain aid from persons experienced in public personnel administration in order to prepare an examination to select the director of personnel. The court upheld the right of the Commission to employ experts for this purpose, and to pay their fees out of the general appropriation for the department. "Undoubtedly a municipal corporation or a special board or department thereof can employ an expert, resident or nonresident, for a particular special service when incident to an authorized project and not otherwise provided for," stated the court.

2. The court also upheld the Commission's right to employ a nonresident advisory service organization to aid in the promulgation, amendment and enforcement of the various civil service rules. The complaint of the City Comptroller that this was an improper expenditure of the city funds was unavailing. Said the court: "The question whether these nonresident experts should be employed is a question of administrative policy with which the Comptroller has nothing to do."

3. The court denied the right of the Commission to pay traveling expenses of eligibles for the position of personnel director who are nonresidents of the state, in order that they may be interviewed and tested for their fitness for the position. The state constitution provides: "No person shall be elected or appointed to any office in this state, civil or military, who is not a citizen of the United States, and who shall not have resided in this state one year next preceding his election or appointment." The court cited many cases from other jurisdictions to show that a provision of this nature applies to municipal officers, and the personnel director was held to be an "officer" within the state constitutional provision. The charter amendment itself was held constitutional, since it provides only that the personnel director need not be a resident of the city of St. Louis, and the state constitution forbids only appointment of nonresidents of the state. The court held, however, that the Commission's attempt to pay expenses of eligibles who are nonresi-

dents of the state would be unconstitutional.

(*Editor's Note:* The dissenting opinion of Judge Douglas to the effect that the personnel director is not a "public officer" within the terms of the state constitution is enlightening and reasonable, and would appear to be the more general view of the courts. However in *Griggs v. Harding County*, 3 N. W. (2d) 485 (S. D.), the Court held that a county highway superintendent is a "public officer" and not an "employee" even though he is specifically deemed an employee by the statute creating the office. The power granted and wielded and the true nature of the position determines in which category it falls regardless of the name of the position.)

*Effective Date of Operation.* Two other companion cases were brought, one against the Commission to compel it to assume jurisdiction over appeals of employees claimed to have been unlawfully dismissed, and the other against the Efficiency Board seeking to restrain the Board from assuming jurisdiction of such appeals. These were also decided by the Supreme Court. (*State ex rel Pedrolie v. Kirby*, 163 S. W. (2d) 964; and *Pedrolie v. Hertenstein*, decided therewith.)

The court held that Section 30 of the charter, quoted at the beginning of this discussion, became effective immediately upon adoption of the charter by referendum vote of the people, "so that civil service employees discharged because of their political affiliations were entitled to reinstatement without loss of pay, as provided by the amendment." The court held that such right of employees to reinstatement if improperly discharged "vested immediately upon the adoption of the amendment." The court overruled the contention of the Civil Service Commission and the Efficiency Board that the Efficiency Board maintained jurisdiction until the Commission was ready and able to operate under the new charter amendment. Stated the court:

Interwoven in the various terms of the amendment are provisions relating to the audit and certification of payrolls and payments thereunder. There is, for instance, a prohibition against paying a person until his position has been classified and allocated by the director. There being no director as yet no salary could be paid. Necessity requires that payrolls be met promptly. It was to cover such a situation that the exception was made so as to permit salary payments under the provisions of the old system. We find nothing in the exception which applies to the matter in issue here.



The purpose and spirit of the law would be violated and ignored if the employees would be deprived of their right to relief from improper discrimination which is given them by the amendment. It is true that the old article prohibited such discrimination but the relief was not equal. It merely permitted replacing the name of the person on the eligible list if he had been wrongfully discharged. The Efficiency Board was given no authority to grant the broader relief, reinstatement without loss of pay provided in the amendment. The provisions of the amendment forbidding discrimination and the right of the employee, who has suffered because of it, to the relief specified became effective at once.

The court held, however, that even though the right to reinstatement on appeal is a "present one," its enforcement may

properly and necessarily be postponed until the Commission is prepared to function. Common sense tells us that such a complex plan as this one is, requiring first the appointment of the Commission, then the examination and appointment of the director, then the preparation and adoption of ordinances, rules and regulations of administration, cannot be put into action over night. The machinery for its administration is not yet assembled. The only action taken so far has been the appointment of the members of the Commission. There is no director. If the director is alone empowered to appoint the employees of the department of personnel there is no department organization. There are no rules promulgated governing appeals. This situation exists for a variety of good reasons.

For these reasons, among others, the court saw fit to go no further than to compel the Commission to assume jurisdiction and hear the appeals "within a reasonable time after the Commission is prepared to do so."

**Constitutional Appropriation for Commission—Extent of Legislative Control—Salaries and Classification.** A recent amendment to the Michigan state constitution provides that the state Civil Service Commission created thereby shall "fix rates of compensation for all classes of positions, approve or disapprove disbursements for all personal services." The amendment also provides that the legislature shall annually appropriate a specific percentage of the annual payroll of the state service to enable the Commission to perform its functions. In *Civil Service Commission of Michigan v. Auditor General*, 5 N. W. (2d) 536, (Mich.), the Michigan Supreme Court considered two important questions arising under this amendment:

1. *Is a legislative appropriation necessary to furnish funds to the Commission, or is the amendment itself sufficient as a continuing appropriation?* The Court ruled that legislative

appropriations were required. Recognizing the efficacy of constitutional appropriations generally, the court, nevertheless, ruled that the "authorization contained in the civil service amendment, although not leaving the amount of salaries to the discretion of the legislature, does leave the sum to be appropriated discretionary with the legislature, and is not sufficiently fixed to be a constitutional appropriation."

2. *Can the legislature impose a condition upon its appropriation to the effect that no wage increases shall be granted beyond the wage existing on a specified date?* The court ruled in the negative, and held unconstitutional a statutory provision to that effect. Such a provision "in express terms undertakes to usurp the authority vested in the Civil Service Commission by the constitutional amendment to fix rates of compensation of employees of the state who are under civil service classification."

**Establishment of Civil Service—City Ordinance—Mandamus Compelling Official Action.**

Where a city ordinance establishes a merit system for the appointment of city employees, and the city council refuses to appoint the designated authorities to make rules as required by the ordinance, it was held that a city taxpayer has the right to a writ of mandamus compelling compliance with the provisions of the ordinance. (*LeMar v. City Council of the City of South San Francisco*, 127 Pac. [2d] 1022 [Cal.].)

The court also held that although the ordinance did not specifically designate the departments and appointive employees to come under the merit system, as required by the statute, the ordinance creating a personnel system was nevertheless valid, and that a taxpayer could bring mandamus proceedings to compel the city to make appointments pursuant to the ordinance.

**Certification—Procedure—Substantial Compliance.**

Some reasonable leeway is permitted appointing officials in complying with civil service regulations regarding certification procedure. In *Sherman v. Reavy*, 36 N. Y. S. (2d) 481 (Sp. Term), an entire eligible list was "certified" to the State Division of Placement and Unemployment Insurance from which to fill hundreds of vacancies. The New York State Civil Service Commission provides for the cer-

tification of the three names standing highest on the list, any one of which may be selected. When the appointing officer notifies the commission "of more than one vacancy at any time" the commission shall certify the "names of as many persons as there are vacancies to be filled, with the addition of two names."

The court ruled that it was proper to certify a list of names larger than the one prescribed by the rule just quoted. The court held that the rule imposes no mandatory duty upon an appointing officer to request a certification for more than one vacancy at a time, even though more than one exists. The court said:

Since no mandatory duty rested upon the appointing officer to request certification of the exact number of vacancies to be filled," stated the court, "we see no reason why he should delay filling the positions from established civil service lists by the process of repeated certifications where it would be practicable in the case of many new vacancies to certify the entire list and to canvass it as required by law."

The court was obviously impressed by the fact that about 1,000 employees were to be added at one time to the civil service rolls in the department.

The proceeding was brought by eligibles who had been "passed over" and who objected to the certification procedure. They also challenged their elimination from the list, which had been effected in the following manner:

... when the entire list was certified to the appointing officer, he considered the names as he would have considered them had three names been separately certified for each vacancy, i.e., he assumed separate certifications each time he made an appointment. Therefore he followed the procedure of considering the names on the list in order in groups of three. When he considered and passed without appointment any name on the list three times he treated that name as having been certified to him three times and no longer entitled to be included in the groups of three that he considered in making each appointment.

The court ruled that this practice, long used by state civil service administrators, was in accord with the commission rule providing that no person shall be certified more than three times to the same appointing officer for the same or a similar position. "Certainly it would be within the power of the appointing officer to ask separate certifications for each position to be filled and it would be idle to require him to do that if he can exercise the same power in a large list more expeditiously in the business of the state."

Because of doubt as to whether the appointing authority had actually confined his selections among those entitled to be considered for appointment in accordance with proper certification procedure under the rules of the Commission, and because it appeared from the record in the case that some of the petitioners had been improperly "passed over" by the appointing authority, the court ordered a trial of the issues of fact raised in the proceeding to determine whether there had been substantial compliance with the Civil Service Rules.

(*Editor's Note:* This case should be considered in the light of the general principles of statutory construction, distinguishing between mandatory and directory provisions. Mandatory provisions require full and specific compliance, whereas in connection with directory provisions substantial compliance is sufficient. Compare, however, *Tilles v. Department of Labor*, 13 N. Y. S. (2d) 431.)

**Certification — Power to Revoke — Tenure Rights of Appointees.** Once an appointment to a civil service position is made after certification by the civil service commission, the appointee gains the tenure rights conferred by statute, and removal may be made only pursuant to statutory provisions. This principle is applicable even where the civil service commission discovers that its certification was improperly made. *State ex rel. Byrd v. Sherwood*, 42 N. E. (2d) 889 (Ohio).

In the reported case, the petitioners objected to summary revocation of their certifications made after appointment had become complete. They were originally certified only after eligibles who were entitled to priority in certification had been induced to sign waivers of their rights as a result of certain fraudulent acts by a personnel clerk in the Public Welfare Department. The petitioners were not parties to any fraud. Had these waivers not been secured, petitioners would not have been entitled to certification. The court held that

an incorrect certification undoubtedly may be corrected, but this correction cannot be employed to remove employees who theretofore had been appointed pursuant to such certification and who, through satisfactory service for the required period, had acquired a status of members of the classified service, of the state. Being in the classified service, they may not be summarily dismissed.

(*Editor's Note:* Although the New York

courts have ruled generally that a certification obtained by fraud is void *ab initio*, so that a summary revocation is authorized, in the cases which considered the question the certified employees were in some manner connected with the fraudulent practices. In view of the general reluctance to revoke an actual appointment, conceivably the New York courts would arrive at the same result reached in this case, given the same or similar facts. See *Public Personnel Review*, July 1941, pp. 237-38 for a review of the New York decisions.)

**Appointment—Power to Compel—Function of Commission.** The fact that an applicant for a civil service position passes the required examination, and is certified for appointment, does not compel the appointing authority to make that appointment. It must be remembered that the function of civil service commissions is to ascertain those qualified for positions; a commission has no appointing power. Thus in *Township of Teaneck v. Volcher*, 27 Atl. (2d) 199, (N.J.), the court refused to compel a township manager to appoint as Captain of Police one of two Lieutenants of Police who had passed the required civil service examination. The power to appoint is discretionary in nature, and is lodged with the proper appointing official. "... mandamus will not issue to interfere with the discretion of a body having control of the police force of a town in the management of that force."

(*Editor's Note:* Of course, should the appointing authority decide to make an appointment, but to appoint one who has not met civil service requirements, such action would be an abuse of discretion, in violation of statute, and would authorize judicial interference. In short, an appointing official may, in the absence of direct statutory command, refuse to make an appointment, but once he decides to appoint, he may do so only in compliance with the civil service provisions.)

**Appointment—"Special Policemen"—Right to "Regular" Position.** In *Healey v. Bazinet*, 36 N. Y. S. (2d) 321 (App. Div.), the court considered the right of a "special city policeman" to secure status as a regular permanent member of the force. The charter of the city of Glens Falls, N. Y., limits the city police force to one regular policeman for each fifteen hundred in-

habitants. However, the charter permits the appointment of additional special policemen, removable at the pleasure of the city Board of Public Safety. The petitioner and eleven others took an examination for the position of special policeman. All twelve were appointed. Subsequently, nine of these special policemen were transferred to the regular force without any further examination, but the petitioner was summarily removed. In an action by the petitioner for appointment as a regular police force member, the court upheld the status of the petitioner as a full-fledged "civil service" force member, since the charter now permitted the addition of extra regular policemen. Stated the court:

At the time of petitioner's original appointment it was the obvious intention of the city authorities to place him and other special officers upon the regular force so nearly as that could be accomplished under the charter limitation as to number. Had there been a vacancy on the regular force, his appointment thereto would have been probationary which in time would have become permanent. When vacancies occurred through the amendment of the charter and the increase of the number of regular policemen, petitioner became a member of the force, and he could be removed only in the manner prescribed by the State Civil Service Law (Sec. 22).

**Veterans' Preference—Commission Sole Judge of Qualifications.** The preferential right to appointment granted by statute to veterans who qualify for civil service positions cannot be taken away by the appointing authority, in an effort to appoint a non-veteran who may perhaps possess superior qualifications. Thus, in *Civil Service Commission v. Rife*, 27 Atl. (2d) 215 (N. J.), the court pointed out that the statute clearly provides that "wherever the name or names of a veteran or veterans shall be among those certified to the appointing authority the choice of the appointing authority shall be limited to the veteran or veterans whose name or names are included in such certification, regardless of position on the list."

The court therefore granted a writ of mandamus ordering the appointment of a veteran who had been certified for appointment in the Department of Revenue and Finance of the Town of Nutley, N. J., but who had been rejected in favor of a nonveteran. In answer to the contention that the veteran did not possess the necessary preliminary qualifications for the position, the court referred to that portion of the statute which provides that the Civil Serv-

ice Commission shall be the sole judge of the facts constituting such qualifications. The certification of the veteran by the Commission indicated the necessary approval of his qualifications.

**Promotions — Practicability — Discretion of Commission.** Statutory direction governing promotions must be carefully examined to ascertain just how much discretion is left to the civil service commission in conducting promotional examinations. Where a statute specifically and clearly limits promotions to a restricted class, and such limitation does not violate constitutional requirements, then a commission has no alternative but to hold examinations for only the statutory class.

Usually, however, the statute permits the exercise of discretion, as is indicated in *McManus v. Caldwell*, (28 Atl. [2d] 265 [N. J.]). The New Jersey statute provides that "a vacancy in a position in the competitive class shall be filled, as far as practicable, by promotions from among persons holding positions in a lower grade in the department . . . in which the vacancy exists." The court upheld an open competitive examination for patrolmen of the police department of the city of Orange, despite the fact that such examination was not restricted to chancemen of the city (who held the position immediately lower in rank of that of patrolmen), but was open to all. The court ruled that the Commission could find that a promotion examination open only to chancemen was impracticable. The chance force consisted of about fifty members, some of whom were aged and most of whom were regularly employed otherwise in private industry. Some had never performed any duties, and others had worked for only a few days.

Thus, where the examination resulted in the appointment of eligibles who had not been chancemen, in addition to those chancemen (seven) who passed the examination, all appointments were proper. The "practicable" course was pursued, and so the statutory provision was satisfied.

(Editor's Note: For ruling that chancemen are regular members of the City Police Department, see *Albert v. Caldwell*, 123 N. J. L., 266, 8 Atl. (2d) 700, reported in *Public Personnel Review*, January, 1942, p. 56.)

Later, in *Chambers v. Civil Service Commis-*

*sion of New Jersey*, 28 Atl. (2d) 512 (N. J.), the general principle of the preceding case was reaffirmed. But the court went even further and ruled that once the Civil Service Commission has ruled that an open competitive, rather than a promotional, examination is practicable for the position to be filled, then such ruling is conclusive, and even the Commission itself cannot subsequently concur in action which ignores the eligible list established as a result of the open competitive examination, and which results in a direct promotional appointment of one holding the position next in rank to the one to be filled. The court said:

The legislative concept was that once it is determined that the filling of a vacancy by promotion would not be consistent with the best interests of the public, and a competitive test is held and the result ascertained and proclaimed, the register of eligibles may not then be disregarded in favor of a promotion from the next lower grade. This would seem to be indispensable to the integrity of the system.

**Demotions—Validity—Application of Commission Rule.** A rule of the civil service commission of Gary, Indiana, provides that demotions in the city police department shall be made "solely for cause;" that the written reasons for demotion should be certified by the police chief to the commission and notice thereof served on the demoted person; that the demoted person should have the right to appeal; and that on such appeal the commission shall conduct a public hearing "in the same manner as hearings are provided by law upon charges for dismissal."

In *Coleman v. City of Gary*, 44 N. E. (2d) 101 (Ind.), the court held that a demotion of a city police sergeant must conform with the commission's rule. The promulgation of the rule was authorized by statute, which permitted the city commission to "prepare, adopt, promulgate, supervise and enforce rules and regulations concerning promotions and demotions." The rule, while in force, had the effect of law, and was binding on the commission as well as others. The rule contemplates demotions "for causes personal to the person demoted." The commission, it was held, violated its own rule by requiring those demoted to pass a competitive examination in order to hold their rank. Furthermore, the hearing accorded by the commission on an appeal from the demotion was improper. The court said:



The rule required the hearing of evidence on which to base a decision. The demotion could not be affirmed without some substantial evidence tending to show a legal cause for the demotion. In the instant case the complaint alleged that the only evidence heard was the testimony of the chief of police which was favorable to the appellant. The decision by the commission being unsupported by any substantial evidence was void and should be set aside by the courts. . . . It is not sufficient that the commission follow the formal procedure provided by the statute and the rules of the commission. The law requires more than mere formality. It requires a valid cause assigned for demotion and a fair hearing in which evidence tending to support the decision of the commission is heard and considered.

**Probationary Appointments — Removals — Statutory Limitations.** Statutory provisions governing probationary appointees in Ohio permit the summary removal of appointees prior to the expiration of the probationary period. However, a limitation is imposed on the appointing officer to remove summarily, in that the removal cannot be made without the approval of the civil service commission. In *State ex rel. Phillips v. Dillon*, 42 N. E. (2d) 999 (Ohio), the issue was whether the commission had in fact approved the summary removal of the relator, a probationary appointee to the position of sergeant on the police force of the city of Springfield. In defense, it was urged that after the removal of the relator the civil service commission had certified another eligible for appointment to succeed the relator. The court ruled that this did not constitute commission approval as required by the statute, especially where the certification was made by the commission with the understanding that no appointment would be made until it had an opportunity to investigate the cause for the removal of the relator. The court held:

It is obvious that the commission did not in terms approve (the removal). If it is held that it so acted, it is because of a principle of implied approval or an estoppel to deny approval. We do not believe that either of these principles may be invoked to take the place of a definite and positive act of approval by the commission.

**Suspension—"Inverse Order" Rule—Effect of Resignation.** In *Doering v. Hinrichs*, 289 N. Y. 29, 43 N. E. (2d) 709, the court considered the effect of a resignation, followed by a subsequent reinstatement, in determining seniority for the purposes of suspensions under Section 31 of the New York Civil Service Law. The issue involved the date of "original service," and the question of whether it refers to the date of the very first appointment, or the

date of the second appointment (reinstatement) made after resignation. (See *Public Personnel Review*, January 1942, p. 68, for a review of the decision of the lower court.)

The court ruled that the second date prevails. Said the court:

A resignation constitutes a complete break in the service, and the absolute termination of relations. Thereafter the person resigning has no rights or duties. . . . The prior service may furnish sufficient ground for the legislative authorization of re-entry into the service without a new examination; the re-entry marks, nonetheless, a new beginning and the renewed service cannot be traced further back in unbroken lines. The renewed service is based upon a new appointment, though called reinstatement, and marks the date which determines right to priority in the order of suspension.

(*Editor's Note:* The New York statute (Sec. 31, C. S. L.) bases seniority in lay-offs on "original entrance" in the service, not on actual length of service.)

**Suspensions—Board of Education Employees —Application of "Inverse Order" Rule.** Service with the Board of Education of the city of New York is considered "city service" and in determining seniority of employees of the board within the meaning of Section 31 of the State Civil Service Law, which orders lay-offs in the inverse order of "original appointment," it is proper to consider the service of employees not only with the Board of Education, but with other municipal departments as well. (*Waters v. Buck*, 36 N. Y. S., [2d] 834.) The court said:

The jurisdiction of the Municipal Civil Service Commission of the City of New York over positions under the Board of Education has been recognized. The Board confines its activities to the City, . . . members of the Board are appointed by the Mayor and . . . the City supplies the funds that are used to maintain the Board's educational and administrative work.

Thus, to arrive at a proper computation of just how long an employee has been within the city service, his service with the Board must be combined with any prior service with any other city departments, provided that the services have been continuous.

(*Editor's Note:* It has generally been held that board of education employees are employees of the city, within the meaning of the civil service provisions applying to cities. See *Brenan v. People ex rel. Kraus*, 176 Ill., 620; *People v. City of Chicago*, 227, Ill. 445, 81 N. E. 370; and *Tanner v. Civil Service Commission of City of Minneapolis*, 1 N. W. [2d] 602 [Minn.],

reviewed in *Public Personnel Review* April, 1942, p. 148.

For a general discussion of the distinction between state and city services within the meaning of Section 31 of the New York Civil Service Law, see *Canfield v. Greene*, 250 A. D. 181, 294 N. Y. S. 930.)

**Political Activity—Basis for Removal—Electioneering.** A Pennsylvania statute provides that no employee of any city of the first class shall "take any active part in political management or in political campaigns, or use his office to influence political movement." In *McCrory v. City of Philadelphia*, 27 Atl. (2d) 55 (Pa.), the Pennsylvania Supreme Court upheld the dismissal of a fireman employed by the city of Philadelphia because of violation of the statutory provision. The testimony showed that on the eve of a national election, the dismissed employee approached various persons, and asked them to vote a straight party ticket. He was wearing his official uniform, and carried a banner urging all to vote the party ticket. The court said:

The act is intended to prevent political activity or taking an active part in a campaign or in the management of a campaign by employees of the municipality. It relates to personal activity, and does not in any way conflict with the constitutional provision in relation to the free communication of thoughts and opinions, or the right of the citizen to freely speak, write and print on any subject. . . . The activities . . . amounted to more than a mere expression of opinion which is the privilege of even an employee of a city of the first class; it formed the basis for a fair inference that he was actively participating in political management and a political campaign. We find no abuse of discretion.

**Removal—Veterans—Secretary Position Distinguished.** In *Mercer v. Dowd*, 288 N. Y. 381, 43 N. E. (2d) 452, the New York Court of Appeals held that a war veteran who filled the position of "executive secretary" of the Allegheny State Park Commission was entitled to the privileges of Section 22 of the state civil service law restricting removals of veterans. That section specifically excepts positions of "private secretary, cashier or deputy of any official or department". The law places in the exempt class "one secretary for each state department or division, temporary state commission, or other state officer. . . ."

The court ruled that an "executive secretary" of a state park commission is not a "secretary" within the exception of Section 22, or within

the purview of the statutory exemption of "private secretary" or "secretary of a department or commission." The fact that petitioner was called a "secretary" is immaterial. Said the court: "The duties of the position, as defined by some statute or by an ordinance or resolution of a body duly authorized by statute, *not its name, determines the status of the position.*"

After examining the duties of the petitioner, who challenged his summary removal, the court concluded that his duties "do not impress us as those connoted by the terms 'secretary' or 'private secretary.' Rather they are the duties of a superintendent of the three parks over which the state park commission has control." The court ordered the petitioner restored to the position from which he had been arbitrarily removed.

(*Editor's Note:* For other cases holding that the duties of a position, rather than its title, determine the nature, see *Neary v. O'Connor*, 173 Misc. 696, 18 N. Y. S., aff'd 260 A. D. 986, 24 N. Y. S. [2d] 134; and *Byrnes v. Windels*, 265 N. Y. 403.)

**Abolition of Position—Veterans—"War Period" Defined.** Section 22 of the New York Civil Service Law grants to veterans who served "during the World War" certain transfer rights upon the abolition of their positions. It has recently been held that a veteran whose service began on March 23, 1920, and ended on March 22, 1921, is not entitled to the benefits of Section 22. (*Zinno v. Marsh*, 36 N. Y. S. [2d] 866 [Sp. Term].) The words "during the World War," said the court, "have come to have a clear and definite meaning in our language. They have been used commonly to describe the period beginning with our entry into World War I and ending with the armistice on November 11, 1918, and they have come to be so understood. . . . It must be assumed that the legislature used those words in the sense in which they are naturally and ordinarily so used. The statute was designed to give a preference to those who risked their lives for their country in war time. It may not be extended to one who served in peace time."

**Abolition of Position—Transfer Rights—Ohio Rule.** A permanent appointee to the position of Marine Engineer in the Fire Department of the city of Cleveland, Ohio, was en-

titled, upon abolition of his particular position, to permanent appointment to a lower rank in the same department. (*State ex rel. Taiclet v. Cull*, 42 N. E. [2d] 983 [Ohio].) This result follows from the specific command of the state statute: "When a position . . . above the rank of regular fireman in the fire department is abolished and the incumbent has been permanently appointed in accordance with the provisions of this act, he shall be demoted to the next lower rank and the youngest officer in point of service in next lower rank shall be demoted, and so on down until the youngest person in point of service has been reached, who shall be laid off."

(*Editor's Note:* The Ohio law relating to demotions in cases of abolishment of positions is exceptional and is specifically provided by statute. It is not the general law prevailing in other jurisdictions, nor the practice under civil service rules.)

**Dismissal—Judicial Review—Exhaustion of Administrative Remedies.** The general rule governing judicial review of dismissals is that all administrative remedies provided by statute be exhausted before a discharged employee can have access to the court. In *Dunshee v. Ranning*, 129 Pac. (2d) 924 (Ariz.), this rule was recognized, but the position of the court was that the statutory remedies generally applicable to discharged employees had no application where other specific statutory restrictions on removal have been provided. The rules of the State Board of Health, passed pursuant to statutory authority, provided that discharged employees may appeal to a council (three persons appointed by the Board): "The appointing authority, fifteen days after notice in writing to an employee stating specific reasons, may dismiss an employee who is negligent, inefficient, (etc.). . . . The employee shall have the right of appeal to the council."

In this case, the employee was summarily dismissed without the fifteen days' notice and reasons, as prescribed by the rule. The court, holding that the statutory remedy of appeal to the council was inapplicable, said: "It is only after . . . notice has been given that the appointing authority may dismiss an employee and it is only after such a dismissal that an employee may appeal to the council." The order dismissing petitioner was "wholly without jurisdic-

tion, void and of no effect, the person involved remaining just as much an employee of the Health Department thereafter as he was before. The fact that an employee may be prevented by this unlawful action from discharging his duties cannot deprive him of his right to compensation when he stands ready and willing during the period covered by the claim to perform the duties for which he was employed." The court, therefore, granted mandamus ordering approval of the petitioner's claim for compensation during the period of his unlawful discharge.

**Reinstatement—Statutory Prerequisites—Effect of Resignation under Duress.** A city charter provision requiring civil service employees who claim an unlawful discharge to make a demand for reinstatement "in writing within ninety days following the date on which it is claimed that such person was first illegally . . . discharged," applies to an employee who resigns under duress. "Whenever a person is severed from his employment by coercion the severance is effected not by his own will but by the will of a superior. A person who is forced to resign is thus in the position of one who is discharged, not of one who exercises his own will to surrender his employment voluntarily." The petitioner was, however, denied reinstatement because of failure to demand it within ninety days as required by the statute. (*Moreno v. Cairns*, 127 Pac. [2d] 914 [Cal.].)

The petitioner found himself in a peculiar position. He could not allege a voluntary resignation, since in that event he would have no right to reinstatement, for "there can be no reinstatement after voluntary resignation." He, therefore, alleged a resignation under duress. "He cannot escape the dilemma, however, that the coercion attending his nominal resignation, while affording him a ground for reinstatement, also identifies that resignation as an actual involuntary severance from employment tantamount to an unlawful discharge, within the meaning of . . . the city charter. A demand for reinstatement following severance from employment under such circumstances must therefore meet the conditions of that section."

(For a report of the lower court decision, [affirmed], see *Public Personnel Review*, April 1942, p. 155.)

## LEGAL NOTES

**Transfer of Subway Employees in New York City Upheld.** The New York Court of Appeals has recently upheld (unanimously without opinion) the Wicks Law, Chapter 927 of the Laws of 1939, which covered into the New York City civil service without competitive examinations all former employees of the privately controlled and operated transit systems

taken over by the City under a unification plan. The opinion of the Supreme Court upholding the constitutionality of the Wicks Law under the New York State Constitution (Article V, Section 6) requiring appointments to be made for merit and fitness after competitive examination wherever practicable, was reviewed in the October, 1941 issue of *Public Personnel Review*.

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## BOOK REVIEWS

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### **Recruiting Applicants for the Public Service.**

A report submitted to the Civil Service Assembly of the United States and Canada by the Committee on Recruiting Applicants for the Public Service. J. Donald Kingsley, Chairman. Civil Service Assembly, Chicago. 1942. xvi, 200p. \$3.00.

Certainly one of the most acute problems facing public personnel agencies on all levels of government today is the recruitment of qualified employees. With the loss of key personnel to the armed forces, and the accompanying drain on the labor supply due to booming war industries, now more than ever before this problem of recruiting must be met squarely. We know that in many instances qualified people are available, if only they could be reached and made aware of the attractiveness of government positions. This report is addressed to that problem. Here is a timely "how."

As the fifth report in the Civil Service Assembly's series, "Policies and Practices in Public Personnel Administration," the book was prepared by a committee of practitioners who know whereof they speak. And like the other four preceding reports, it may be considered a definitive statement on the subject with which it deals. The first few chapters, especially "The Problem and Its Setting," explore the general problem in such a clear and comprehensive manner that they become a sort of layman's guide to civil service. The chairman has achieved an integrated report that does not betray the fact that several persons in different parts of the country contributed to it.

Following the statement of the need for an active recruitment program, there is set forth a detailed exposition of the practical methods of carrying out the policy. A sincere attempt has been made to discuss the measures in general practice in various state and local

agencies. If this reviewer were to feel it necessary to make a criticism, it would be that the report fails to recognize the important and progressive work done in the past few years by the United States Civil Service Commission in modernizing its recruitment activities.

The average public personnel agency, the report deplores, is not yet aware of its responsibilities as an aggressive force in seeking out applicants for public positions; moreover, it is well behind some progressive private industries in its technique of reaching the public. To correct the situation, two important steps are necessary: first, the basic philosophy of public employment must be reviewed and revised by those engaged in public personnel administration; and second, the particular techniques that the report describes and analyzes must be adopted. These techniques, discussed in careful detail, include the development of the recruitment program, the modification of the application procedure, the pre-examination audit of applications, and the implications of a career service in recruiting.

One of the most fundamental problems in the public service is the unfavorable, or at least unenthusiastic, public attitude. This unfortunate state of the prestige of public service must be overcome, because it affects not only the recruitment problem, but ultimately the entire field of public administration. Generally speaking, civil service programs have done very little heretofore to change this unfavorable public attitude. The basis of their approach to the problem of recruiting has been the negative one of "keeping the rascals out," rather than the positive one of seeking the highest type of candidate possible. The report emphasizes, therefore, that the recruitment program of today must not only be an active, direct recruitment program, but must also be an anticipatory

program which involves building up the cause of the public service in the public mind, long before specific recruitment for a particular job. The point is well taken, although it must again be said that many civil service agencies in this country have already faced this problem, and are doing yeoman work to build up such programs as this report advocates. Moreover, the prestige of the public service is too much a part of the American mind to be overcome by the efforts of any one agency. It is to be hoped that one result of this book will be a concerted and uniform action by all public personnel agencies to this end.

The report outlines as the principal steps in a recruitment program (1) planning to meet personnel needs, (2) attracting applicants, and (3) selecting the apparently qualified for admission to competition. The characteristics of positive recruitment are defined as (1) emphasis on job and promotion-ladder analysis as a basis for the recruitment program, (2) emphasis on an aggressive search for the best qualified candidates through concentration on the most promising potential sources of supply, (3) emphasis on the pre-test culling of obviously unfit applicants, and (4) emphasis on close and harmonious cooperation with the operating departments. The uses of the formal announcement of examination, the value of an attractive and efficient application procedure, and the need for a well-planned examination schedule are all discussed. The authors include a number of tables, copies of attractive and effective examination announcements, application forms, and letters to applicants which have been found by some agencies to be unusually effective.

The report is practical and readable. Since the American and British civil service programs are compared, to the favor of the British (because, among other reasons, their public service is geared to their public school system), more examples might have been given of just how the British go about their recruitment insofar as bringing openings in their public service to the attention of the public. This reviewer shall add to his list of the things he someday wants to find out about, the mysterious British civil service system that somehow remains *par excellence* in spite of itself.

CHARLES H. BENTLEY

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**Municipal Personnel Administration.** Published for the Institute of Training in Municipal Administration by the International City Managers' Association. Chicago, Illinois. Third edition, revised. 429p. \$7.50

A distinguished English student and practitioner of municipal government who recently visited the United States after an absence of ten years was deeply impressed with the current progress of American cities. While noting especially the development of express highways leading out from urban centers to the suburbs and the country and the plans for civic betterment involved in such particulars as the Chicago lake front and in such general improvements as low-cost housing, he was also struck by rising standards of education, of health, and of provision for conveniences and amenities of many kinds.

These and other lines of progress are impressive. They have been facilitated by many factors, among which certainly must be included the extraordinary improvement during the decade 1930-1940 in facilities for the circulation of ideas about the nature of good municipal administration. The conferences on municipal government of two generations ago furnished the foundation for the National Municipal League, which provided an effective medium for the circulation of opinion about the reform of municipal organization and the lessening of municipal partisanship. The formation of the "government center" at 1313 E. 60th Street in Chicago during that decade gave a vast impulse to the circulation of ideas about more technical aspects and professional standards of municipal administration.

The series of volumes of which this is one was initiated in 1935 by the International City Managers' Association; the first edition of this survey of municipal personnel practice was written in 1935 and was subsequently revised to a limited extent in 1938. It has now been completely rewritten under the supervision of Elton D. Woolpert. Both the series as a whole and this volume in particular represent about the highwater mark of home-study courses, and there can be no doubt that their influence in forming attitudes and establishing practice has been widespread and beneficial.

Within its fourteen chapters this training text covers the principal aspects of public personnel administration from organization

for personnel work through the established procedures of classification, examination, training, promotion, discipline, and retirement to the more experimental techniques of morale, working conditions, and employee relations. Footnotes and a brief bibliography direct the reader to further sources of information.

The material is presented simply, clearly, and candidly. Where attitudes are in conflict and practice unsettled, the text presents different points of view but usually concludes with a statement of what the authors believe to be either preferred practice or emerging trends. The position taken is usually buttressed by quotations from "expert opinion"—indeed, there is a good deal of effective quotation from books and articles throughout these pages.

An example may be of interest. There is, or has been, considerable debate concerning the duties of overhead management and line officers in relation to personnel work, arising out of an earlier view that personnel operations were the exclusive concern of the personnel experts. The authors make quite clear their position, that top management and all line officers are inevitably an integral part of the machinery of personnel management. Quite in harmony is their preference for a responsible personnel office rather than an independent civil service commission. Incidentally, the present reviewer has always thought that one of the most eloquent and effective examples of the influence of top management on personnel practice is contained in the letter which one-time city manager John H. Edy addressed to his new city employees in the city of Berkeley, and which was reprinted in an appendix to *The City Manager*.

The chapter dealing with promotion reveals the paucity of recent attention to this aspect of personnel management. The material was adapted in large part from Lewis Mayer's *Federal Service*, published in 1922; and from Frank O. Everett's *Promotion Principles and Practices*, issued by the Civil Service Assembly in 1929. Within cities this absence of contemporary exploration may readily be explained by the severe restrictions imposed by the local residence rule. Promotional procedures and arrangements in all but the larger cities will become broadly significant only when the municipal service is effectively organized on at least a state-wide basis, and preferably on a

nation-wide foundation. At this point we need not be defeatist, despite slow progress; this evolution will progressively take form in the professional, scientific, and management fields, where after all it is peculiarly important. But how can police departments be rescued from the paralysis of personnel which afflicts most of them until the police service becomes at least a state-wide organization with relative freedom of movement within the higher administrative levels from city to city?

The pages dealing with public relations, which Mr. Woolpert has made his special object of study, have peculiar importance and, it must be added, involve problems which are not thrown open for consideration. It is clear that municipal officials, like all other, need to consider the attitudes, opinions, preferences, and responses of their public. This obligation is not merely good politics, it is in the interest of steadily maintained, progressively improved standards of good administration. Recent public opinion polls undertaken in Kansas City, Missouri, open up a whole new area for official consideration, with direct bearing on personnel management.

Any municipal official, whether in a line department or a personnel agency, and any municipal councilman would profit by reading this well-organized and clearly presented study of modern personnel theory and practice. This material is the stuff out of which is derived the steadily rising levels of municipal government which so impressed Sir Ernest Simon on his recent visit to the United States. It is the stuff which captures for the long pull the momentum of those rare but vital moments of spiritual reconstruction which any city may experience—Dayton in 1914, Cincinnati in 1926, Kansas City in 1941, perhaps even Chicago some day! It is one of the foundations, of which the schools, the colleges, and the universities provide others, for strengthening public opinion to support new plans for a steadily more intelligent, more effective, and not less responsive group of municipal officials.

LEONARD D. WHITE

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**Sharing Information with Employees.** Alexander R. Heron. Stanford University Press. Stanford University, California. 1942. 204p. \$2.50.

The public administrator who is looking for a ready-made manual that will tell him what information to distribute to his employees, and how to distribute it, may be disappointed in Mr. Heron's little book. In the first place it is not a manual. It makes no pretense of prescribing in detail what information employees should receive or how it should be released. In the second place, Mr. Heron is discussing this employee relations problem as it applies to private industry. Consequently, some of his suggestions and many of his illustrations require considerable adjustment to make them fit the circumstances of public employment.

With these qualifications, however, Mr. Heron's book may be heartily recommended to the public administrator as an enjoyable and provocative analysis of a problem facing top management in every organization, private or public.

The principal value of Mr. Heron's analysis lies in the questions that he asks, rather than in the answers that he suggests. To call this a profound book would be an exaggeration, but it certainly does get down to the grass roots of the problem of sharing information with employees.

First of all, Mr. Heron wants management to do some hard thinking as to its objectives in sharing information with employees. After pointing out the shortsightedness of "reluctant," "paternalistic," or "propagandist" willingness to share, he effectively states the case for an aggressive willingness to share based upon a recognition of the employee's stake in his job.

The author also repudiates the high-pressure, Johnny-come-lately educational campaign that seeks overnight to win employee support for a management that has long been noted for its reluctance to let its employees in on business secrets. The information program that Mr. Heron recommends is a long-term program designed to build, step by step, a lasting bond of understanding between top management and employees.

One of the wisest chapters is entitled "Getting the Employee to Tune In." In this chapter, Mr. Heron scores a number of direct hits on the popular notion that employee relations achievements can be measured in terms of the volume of material released. He insists, and rightly so, that the key to an educational program is to get the employees interested in learn-

ing, and that it should begin by fitting the information to employee interests, and not to management's preconceived notions as to what the employee ought to know. Following up this logic, the author believes that the primary objective of the program should be to stimulate employees to ask questions. Although he has a number of chapters dealing with various media of sharing information—bulletin boards, pay envelope inserts, annual reports, house organs, group meetings, and so forth—he considers these to be of greater value in provoking questions than in providing answers.

Students of organization will be particularly interested in Mr. Heron's belief that the line supervisor should be the key person in the information-sharing program—the person who answers the employee's questions. Instead of sporadic man-to-man intimacy between top management and the rank-and-file, Mr. Heron prefers the development of "understanding units" throughout the entire organization. At the higher levels an "understanding unit" may consist of the chief executive and his department heads; at the lower levels it may be a lead man associated with a small number of fellow workers. Relating his proposal to the organization principle of "span of control," he is seeking to reestablish in industry the unity of interest and understanding that has disappeared with replacement of the small shop or factory by modern large-scale organization.

As a postscript to this brief review, it may be added that this little book should be included in the public administrator's bibliography on public relations. The administrator who, with Mr. Heron's provocative analysis as a guide, has thought through the problem of sharing information with employees will find that he has also developed a sound approach to many of his public relations problems.

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### BOOK NOTES

**Manpower.** A Summary of British Experience. Eric H. Biddle. Public Administration Service, Chicago, Illinois. 1942. 28p. \$75.

This discerning study sets forth clearly the major points in the framework of policy and administration in the mobilization of manpower by the British government. Twenty-



three and a half million people between the ages of 18 and 65 out of thirty-three million have been mobilized for services either in the armed forces or in essential industry. Contents of the pamphlet include major aspects of the manpower problem; main features of the British program; formulation of manpower policy and its relation to other governmental policies; and the present administrative organization and activities of the Ministry of Labor and National Service.

**Surveys of Highway Engineering Positions and Salaries.** Allen P. Richmond, Jr. American Society of Civil Engineers, 33 West 39th Street, New York City. 1941. 80p. \$1.30.

This manual, prepared under the direction of the Committee on Salaries of the American Society of Civil Engineers, outlines procedures that may serve as guides in surveying engineering positions and salaries. In addition to data on salaries, material is contained on job descriptions and specifications, and establishing a service report system. The manual is based on surveys made by the Society of highway departments in the states of Arizona, Nevada, and Nebraska.

**War Demands for Trained Personnel.** Proceedings of the Conference of the Institute of Women's Professional Relations. Research Headquarters, Connecticut College, New London, Connecticut. 1942. 260p. \$3.00.

The 1942 Conference of the Institute of Women's Professional Relations brought together representatives of government, industry, and colleges and universities for a discussion of a common problem—the supply and demand for qualified personnel. This report of the conference includes papers under the general topics of Scientific Services, Occupations Related to Health, Home Economics, Business and Law, Transportation and Communication, Education and Community Agencies, Dissemination of Information, and the Supply of Trained Workers in Relation to the Demand of the Total War Program.

**The Office Supervisor.** Henry E. Niles and Mary Cushing Howard Niles. John Wiley and Sons, Inc., New York. 1942. Second edition. 269p. \$2.50.

The revised edition makes a timely appearance in light of the increased emphasis that has been placed on supervisory training since 1935 when the first edition appeared, and especially since the war has created a shortage of trained supervisors. Based in the main on material gleaned from numerous conferences with supervisors, the book presents a general yet comprehensive view of the requisites of the office supervisor. New material has been added to practically every chapter, and several have been completely rewritten. Particularly enlarged and augmented are the chapters dealing with organization, morale, and specific problems of subordinates.

# ARTICLE ABSTRACTS

## PERSONNEL ADMINISTRATION— GENERAL ASPECTS

1. Baker, Helen. Management planning for using women war workers. *Advanced Management* 7 (3) July-September, 1942: 108-111.—With the increased use of women in war work effective management control requires a study of the jobs and the available workers, a re-examination of industry policies, and a revision of personnel policies and production procedures to meet the needs of the situation. The first step is to determine the extent to which women can be used in the plant. To do this supervisors should classify all jobs as occupations which can be (a) assigned in full to women, (b) cannot be assigned to women, or (c) can be assigned in part to women. In making this classification the supervisor must consider whether changes can be made in jobs to make the work either lighter, less disagreeable, or requiring less skill, and therefore suitable for women. The results provide the information for planning women's entry into these types of work. Some of the questions of policy involved in the increased employment of women are: the age, education, marital status and home responsibilities of women to be employed; the use of pre-employment training facilities; wage rates; extent of upgrading; hours of work and shift assignments; improved health services and the extent of company cooperation in community problems affected by the greater employment of women in industry. Companies are beginning to upgrade women into all light semi-skilled jobs and are studying the possibility of breaking down more skilled jobs so that women may perform some of the operations. Companies which had different wage rates for men and women are either establishing uniform job classes and wage rates without reference to sex or are giving their experienced women a chance to be promoted to men's jobs and are making women's jobs the beginning work for new women employees. Some companies have extended work hours but surveys have revealed that—probably due more to home responsibilities than to illness—with increased hours of work women's absence rates increase more rapidly than men's. The

matter of shift assignments has been an even more difficult problem because of family responsibilities and social activities. Companies have had to re-examine their health and safety activities from the standpoint of the different requirements of women workers. Generally industry must accept some social responsibility for the employment of mothers. The initiative in attacking the social problems involved in the greater employment of women rests with community agencies but industry must cooperate in correcting the problems. The replacement of men by women is a major personnel change which calls for careful planning and continuous observation by management. The changes in policies and procedures involved in this replacement are likely to be sound in proportion to the amount of study of specific departmental needs before the changes are adopted.—Charles F. Parker, Jr.

2. Jones, Thomas H. Landscape architecture in the American civil service. *Landscape Architecture* 32 (4) July, 1942: 140-151.—The government landscape architect office, like its allied professional counterpart which employs the architect and engineer, is here to stay, not in its limited status but in greatly expanded scope. To prepare for the extension of governmental activity in this field, the American Society of Landscape Architects has undertaken to review the field of government personnel practices in regard to landscape architects and to recommend policies concerning such employment. A primary recommendation is that civil service in government be encouraged and extended. Specific recommendations include the following: an attempt should be made to standardize class titles, pay, and class specifications for landscape architecture positions in all levels of government; the open recruitment of landscape architects should, in so far as practicable be limited to the lowest professional level, higher levels being filled by promotion; full professional training should be required for all positions in the field, and experience of 2 to 10 years duration should be required for positions above the beginning level; examinations should be of an assembled nature for only the lowest professional class; examinations for land-

scape architecture positions should be conducted by a committee consisting of one member nominated by the civil service agency, one member nominated by the head of the department in which the vacancy occurs, and one member nominated by the ASLA, the latter member to be selected from another governmental agency or in private practice; no veterans' preference should be allowed in examinations for landscape architect; and governmental agencies should adopt the policy of examining landscape architects for appointment and not for eligibility lists, in so far as may be practical. —Robert I. Biren.

3. Marx, Fritz Morstein. **Comparative administrative law: political activity of civil servants.** *Virginia Law Review* 29 (1) August, 1942: 52-91.—The expansion of modern government has resulted from the needs and pressures of industrial society without a clear conception of its final shape, necessity being its only architect. This being true, there have been retained doctrines and influences in government which may not be in harmony with modern political thought. Among these is the dogma that the civil servant's civic freedom is qualified by his duty to preserve the desirable degree of political neutrality in his conduct both inside and outside the office. The propriety of this policy may be examined comparatively because the administrative patterns in all countries not definitely one-party in nature are similar, and the problem arises in each such state. In England, civil servants are allowed the exercise of their franchise and to participate in public affairs. Traditionally, however, they take no overt part in public political affairs and by departmental rule are often forbidden to serve on political committees or to write or speak in favor of or against a particular candidate. Public servants are not allowed to become candidates for Parliament. The French civil service changed gradually from direct participation in political affairs to general conformance with the stated policy of neutrality, although the rise of syndicalism complicated the issue. The Weimar Constitution of Germany undertook to guarantee civil servants freedom of political opinion and freedom of association. The sweeping liberality of this concept brought difficulties when the National Socialist party began to gain mass support. Two tests of legal provisions concerning political activity, one under the Cleveland, Ohio, city charter and one in Germany under the Weimar Constitution demonstrate differences in approach to the problem. The Cleveland case resulted in barring civil servants from active participation in contests on bond issues and other related non-political activities, although the criteria expressed by the court in reaching this conclusion was far from satisfactory. The German

case upheld, in general, the constitutional mandate guaranteeing political freedom to civil servants but warned that the public employee has duties imposed by his official position which limit his freedom of action in this field. The question of the extent of political neutrality is not likely to be solved satisfactorily by cataloging activities in which the public servant may not engage but, rather, in implementing a sound general principle such as that expressed in the 1937 Michigan merit legislation, requiring that a public employee must prove himself in his behavior inside and outside the office worthy of the esteem which his profession requires. —Robert I. Biren.

4. Cairncross, Alec. **The higher civil service after the war.** *Public Administration* (Great Britain) 22 (2) September, 1942: 61-67.—The pressure of opinion in Great Britain after the war will prevent a return to even the limited freedom of enterprise that existed before the war. The administrative peculiarities of each industry will determine the pattern of control selected by the state, and the civil service which administers these controls will need to be far more deeply versed in the ways of business and general economics than it has been in the past. A particular change which may be expected is a more rigid grouping of firms within industries and some measure of public supervision and control over these industrial groupings. If the state is to be successful in meeting the dangers of monopoly interest it will need to create a new class of civil servant—the consumer's counsel—whose duty it would be to participate in the deliberations of the trade groups and to keep watch as a representative of the consuming public. Accountants might well be made public servants, since by giving them power and status they could introduce standardized accounting methods enormously simplifying the state's dealings with a large number of competing firms and also provide a firmer link between the central government and industry. The major weaknesses of civil service organization have their origin in its size coupled with the paralyzing influence of responsibility. Because of this the civil service must be vigilant in its quest for efficiency, profiting from the experience of large concerns, studying techniques used abroad, and extending to one department ideas or devices which have been tested in another. Improvements might well be made in office machinery and the keeping of records. It ought to be laid down as an invariable rule that every department have its own statistician with general oversight of the departmental statistical records. There is also need for some central intelligence section in each department to perform research and offer ideas and comment on cabinet papers. Public relations departments are in need of

strengthening. Other movements which call for encouragement are the movement of incompetent persons out of the civil service and the establishment of some kind of staff college for the study of administrative and economic problems.—G. M. Morris.

5. Finer, Herman. *Personnel problems in the post-war world. Personnel Administration* 5 (1) September, 1942: 3-10.—Take any threads you like in the stuff of administration and, inevitably, it leads always to personnel. It is proposed to consider a few of the major problems that seem to be emergent from the War. The process of selection will be concerned more than in the past with the character and temperaments which the candidate has. The propelling power in the state ought to reside in the legislators and the political ministers. The administrative personnel must certainly suggest the scientific analysis of the situation, but do this with the politician on top. A few remarks are necessary on the problem presented to the United Nations by the task of post-war transition in the enemy and occupied lands. The United Nations will become responsible for keeping order and for offering humanitarian assistance to the devastated countries. They will have to operate wherever they are, through the friendly administrations of the new governments, whatever their personal composition at the time. Also, the armed forces ought to be under, not above, the civil commissions and their staffs. Further, the United Nations will, and ought now, begin to train several thousand men and women for the jobs to be done. The choice of these people should be made according to aptitude and character. A tremendous concern of this civil commissionership force would be the judgment of the reliability of the statements, action, and tactics of the foreign administrators, on whom the main day-by-day task of central and local government would necessarily fall. Finally, there will be many hundreds, perhaps thousands, in the more permanent organs of international control and management. This constitutes the sovereign enterprise of our century; and we should forthwith turn to action.—Robert C. Sampson.

#### PERSONNEL AGENCY MANAGEMENT

6. Solem, Arnie (ed.). *Work planning in government. Part I. Advanced Management* 7 (3) July-September, 1942: 133-40.—Probably the most significant contribution of scientific management—precise and objective planning of work to be done—is just now getting away to a good start in government. The delay in its application to government has probably been due to the lack of concrete, practical techniques suited to the needs of government. It must be accepted that the top adminis-

trator and his line assistants have the primary responsibility for work planning. Work plans must be instigated and followed up by the top executive if they are to succeed, but he must secure the participation of staff personnel and subordinate line personnel in the central office and the field in the development of the plan and its execution. The staff officer concerned with each major function will advise the chief executive on the broad formulation of the section of the work plan covering his particular activity. Subordinate line officers, particularly in those agencies whose work is largely professional, should participate as much as possible in the work planning and should adapt the broad plans to their units and develop detailed sub-plans in accordance with them. Greater participation by the field can be secured by encouraging the field offices to modify or revise national office plans, subject to general coordination and policy approval, so as to better reach the over-all objectives in the field, by the interchange of field and headquarters personnel, and by the conduct of sample field experiments to test the validity of work plan proposals. The mechanical job of compiling the approved plan can be done by a unit established for that purpose under the administrative officer in the office of the top executive. The decisions to be made in the development of a work plan are "what," "how much," "when," and "who." The determination of "what" is to be accomplished is the job of the administrator and, within narrower bounds, executives in each level of the hierarchy. This determination is based on information from the program research people, information from line officers, and available inspection data. The determination of "how much" to accomplish requires the identification of work units as a basis for projecting the work load. The "when" of work planning is the scheduling of work to obtain synchronization of work and the shortest possible time lapse in completing the whole project. This requires the selection of significant control points for measurements of time lapse. Projects extending beyond the plan period should be broken into their component parts with estimated completion dates for each. The final element in the development of the work plan is the determination of "who" will be responsible for each project. Where several units have some responsibility the degree of responsibility of each must be clearly delineated.—Charles F. Parker, Jr.

#### CLASSIFICATION; PAY

7. Hendrickson, Roy F. If I could remake the classification system. *Personnel Administration* 4 (10) June, 1942: 10-12.—Responsibilities for program planning have multiplied many times, but not one whit of discretion has been permitted in



the classification process. Recruiting, placement, and training programs revolve around the classification scheme, which is still based on the assumption that the operating official has no interest in seeing that equal work merits equal pay. The slow and cumbersome method of reviewing every job description in three or more places could be discarded in favor of a system by which the United States Civil Service Commission issues class specifications and becomes the Supreme Court, hearing disputed cases under something similar to a writ of certiorari and on appeal. Initial allocations would be made at the bureau or operating level, and such allocations reported immediately to the central office. Thus the vast majority of cases would pass through only one office for prior approval; all would, however, be subject to further review. The mystery with which the allocation process has been shrouded should be dispelled by objective indices of value, by clear and definite standards understandable by the lowest paid messenger. The failure of the Civil Service Commission to issue class specifications for this purpose stands as a major crime against good personnel administration in the federal service. Greater flexibility is also needed in the salaries attached to a given job, so that employees may be rewarded for meritorious service without reassignment to a higher level job. Under present methods, capable employees who may lack supervisory ability can frequently be advanced only by assigning greater supervisory responsibility. Some method is also needed to adjust salary scales to conform to the cost of living and the state of the labor market. Another desirable modification would be the creation of a fifth category of positions—an Administrative Service—to include the managerial group, which is fast becoming a familiar part of the public service. The clamor for these reforms, long discussed among both personnel and operating officials, has arisen to tidal proportions and unless certain of the more obvious revisions are made, the present top-heavy structure may collapse.—*Edith K. Mosher.*

8. Meriam, Lewis. **If I could remake the classification system.** *Personnel Administration* 5 (1) September, 1942: 11-13.—If the author could remake the Federal Classification Act today, his first move would be to strengthen the language of the Act to remove any suggestion that the establishment of classes and the publication of class specifications kept currently up to date are discretionary. Attention is called, however, to the fact that new legislation is not essential, since the present Act gives the United States Civil Service Commission adequate authority. Such specifications would serve as aids to operating officers and would reduce the negotiation and technical manipulation in which operating

officers struggle first with the classifiers in the personnel unit of the agency, then with the liaison representative of the Commission, and finally with the central office of the Commission. In the application of the principle of equal pay for equal work, one central agency must have final authority. However, through the use of specifications, a new position could be allocated by an operating officer, which allocation would be final, unless and until revised by the central classification agency. Such a system would expedite administration and would probably give good results since administrative officers would want to protect themselves against reversals. It would also allow the operating official to determine the form of his organization, methods and procedures, and the division of duties and responsibilities among positions without being unduly subjected to the pressure of some classification technicians who, it is averred, use their powers to influence the making of such decisions and who substitute their own judgment in determining what kinds of people are needed for the jobs. The Classification Act should also be remade to permit greater salary flexibility. In the first place, it should be possible, in the interests of good administration, to make appointments above the minimum rate for the class. This would be particularly applicable to positions in a newly created agency, where administration requires greater ability than is needed in a well-organized, smooth-running organization. As it is, positions are sometimes over-classified since the qualified candidate is not available at the base rate of the appropriate grade. Neither should salary rates be fixed rigidly by law as they are now and subject to change only by act of Congress. They might better consist of two parts: (1) a fixed base pay; and (2) a flexible addition, the exact amount of which could be determined by the cost of living. Repeal of the Act and return to the old days is not advocated. In many respects conditions during World War I were much worse than they are today. However, it would be a major disaster to public personnel administration if in this emergency the defects of classification and salary standardization should prove to be partly responsible for "too little and too late."—*William A. Grelle.*

### RECRUITMENT; SELECTION; INDUCTION

9. Bingham, Walter V. **How the army sorts its manpower.** *Infantry Journal* 51 (4) October, 1942: 22-30.—There are now some 5,000 officers and enlisted men engaged in personnel classification work under the jurisdiction of the Adjutant General's Office. More are being trained as rapidly as possible in the permanent classification cadres of the Reception Centers and the Replacement Training Centers at the Adjutant General's School at Fort Washing-

ton. The work of the classification officer is basic and of necessity given a high order of priority. The best time to see the Army personnel system in action is when a new division is being born, or "activated" as the process is called. The Army builds divisions as a contractor erects a skyscraper—swiftly and efficiently, by assembling pre-tested and pre-fabricated parts at a given point. Toward this point there must converge on an exact time schedule the manpower of a new division classified in precise quotas of the various military specialists. During the activation of a division, manpower pours in upon the classification officer and his staff at the rate of a thousand men a day. Along with each roster of men comes a file of qualification cards, one for each man. At this point machine sorting is not fine enough and each card must be studied, and often the man himself must be re-interviewed so that each regiment, battalion, company, and platoon may have its balanced quota at every rank and in every specialty. The case of "B," a typical selectee, illustrates the process. Soon after B arrives at the Reception Center, he enters into the standard processing routine which includes the Mechanical Aptitude Test, General Classification Test, and personal interview. Perhaps B, who is a lawyer, makes a very high score on the Mechanical Aptitude and Classification tests. The classification officer who interviews him believes that he might conceivably become a good technician, since lawyers are on a list of occupational "overages" that includes 192 civilian occupations. Perhaps the day after the initial processing is completed, the classification officer receives a requisition for a complement of seventy radio technicians. Radio technicians head a list of 181 occupational shortages. The assignment crew secures only 35 cards by mechanical sorting, with B's card not among them, since it showed aptitude only, not definite training and experience. In the second screening of the file, which entails careful inspection of each individual card, B looks good enough to help make up the quota so he is sent to the nearest Signal Corps training center. There, with the qualification card before him, another officer interviews B, who, if the interview is satisfactory, is tabbed for training in communications upon completion of his basic military training. The qualification card is a guide, however, and not an order. If experience in the training center does not confirm the findings of the individual interview and test scores, both B's Army career and his qualification card will undergo revision. If B is successful and should later become an officer, much of the information on his original card will appear on a new officer's qualification card. This, with its accumulating notations of duty assignments, efficiency ratings, promotions, etc., will accompany him through his Army career.—G. M. Morris.

10. Reining, Henry Jr. **Mental abilities and personality traits.** *Personnel Administration* 5 (1) September, 1942: 14-18.—The National Institute of Public Affairs, which conducts a government internship program, has for the past several years administered to its incoming interns the Thurstone Primary Mental Abilities Test and the Bernreuter Personality Inventory. Its immediate purpose has been to get any information which might be useful in counseling with the intern as to his placement for training. Less directly, it has been hoped that the data collected through these tests might someday be useful in identifying administrative traits. The 1938 experimental edition of the Thurstone test has been used. It consists of a battery of 16 timed tests and attempts to measure the following primary mental factors: perception, numbers, verbal, space, memory, induction, and deduction. The interns show a definite and consistent profile in these factors, scoring highest in the verbal and perception factors, high in the numbers and memory factors, comparatively low in the space and deduction factors, and lowest in the induction factor. While the interns are a group entering the field of public administration, it is pointed out that the "intern profile" may be simply a reflection of the selection standards of the Institute, for most of the interns have been trained in liberal arts colleges with majors in the social sciences and have been outstanding in campus activities as well as in the classroom. The results of this test have been of some use in counseling. For example, interns who choose research are generally high on the induction and the verbal factors. However, it has been observed that personality factors have as much if not more to do with the success of the interns as do mental abilities; therefore the Bernreuter inventory was tried as a possible means of finding the explanation. This inventory attempts to measure neurotic tendency, self-sufficiency, introversion-extroversion, dominance-submission, confidence, and sociability. For the purposes of the Institute the following three factors were found to be most significant and applicable and the intern profile in them has been: (1) neurotic tendency, low (27.82 percentile), indicating emotional stability, (2) self-sufficiency, high (62.39 percentile), indicating self-sufficiency, and (3) dominance-submission, high 73.38 percentile, indicating dominance. The Institute believes that it has found a score indicating emotional instability to be the most significant clue to a possible personality problem, particularly if it occurs with low scores in the self-sufficiency and dominance factors. However, extremely high scores in the latter factors should also be regarded with caution, even though they occur with a score indicating emotional stability.—William A. Grelle.

11. Tinkelman, Sherman. **Civil service test item preparation: a case study.** *Public Personnel Quarterly* 3 (2) Spring, 1942: 57-74.—It is the purpose of this article to suggest and illustrate a number of generalizations relating to the preparation and revision of test items. Promising sources of question material should be located and utilized fully. Literature, personal experience and field work are all valuable sources. As the examiner observes the work of employees performing the job for which the test is being held, there are suggested many possible test questions concerning the superiority of one procedure over another and the appropriate action to take under various conditions. In reviewing test items for adequacy and correctness of the key answer, it is important that the items should have one and only one best answer. The correctness of the key answer should not depend unduly upon the context from which the item was derived. The appearance of an item is also important, because it controls in large measure the attitude of candidates and of the general public towards a test. Items should appear pertinent to the job and should be presented, wherever possible, in situational form. They should be concerned with real problems of more than minor significance, and should not reflect unfavorably upon public employees. In writing test items, criticism by a colleague should never be rejected. Where it is difficult to write five good options to an item, a new approach to the point of the question should be attempted. Finally the level of difficulty of the items should be adjusted to the test population.—Charles H. Bentley.

12. Gold, Irving, and Lichtash, Ben. **Budgets and staffs of public personnel agencies.** *Public Personnel Quarterly* 3 (2) Spring, 1942: 75-90.—In this study, aspects of the budgetary and personnel practices of 14 states and 13 large cities are surveyed. The data, collected largely by questionnaire, show existing practice in regard to budgetary and professional staff appropriations for central public personnel agencies. The data show that the most liberal state agency spends almost five times as much per jurisdiction employee as does the most parsimonious agency. The median state personnel agency expenditure per employee is about \$6.45; the median for the cities is about \$4.92. The median percentage of their total budget which agencies allot to professional salaries is 32 per cent for the states and 35 per cent for the cities. The states employ between 3.5 and .25 professional persons per 1000 civil service employees; the cities range from 1.42 to .02. Only in salaries paid typical professional employees is a lack of skewness shown. The median salaries found are as follows: Personnel Director, \$5,000; Bureau Head, \$4,200; Senior Personnel Aide, \$3,000; Assistant Personnel Aide, \$2,400;

Junior Personnel Aide, \$1,800. (Article contains tables showing comparative figures on personnel agency budgets and staffs).—Charles H. Bentley.

13. Jackson, Robert W. D. **Note on the relationship between internal consistency and test-retest estimates of the reliability of a test.** 7 (3) September, 1942: 157-64.—The test-retest method of obtaining the reliability of a test is compared with the internal consistency method, which uses the analysis of variance and co-variance to obtain its results. Two different results were obtained. This is due to the fact that these values are not estimates of the same thing. Use of analysis of variance and co-variance makes it possible to obtain estimates of other kinds of reliability coefficients. A test-retest estimate of the reliability coefficient of error shows that these "error" values are not independent on repeated trials of a test. Probably individuals remember items and responses in the second testing period. A comparison with the estimate obtained by means of the analysis of variance again shows little agreement. This supports the opinion that the test-retest and internal consistency estimates do not necessarily refer to the same thing.—Irving Gold.

## TRAINING

14. Petrie, Frank A. **The training film in our war effort.** *Personnel Administration* 4 (10) June, 1942: 13-15.—Never has there been such a colossal task of giving optimum training to maximum numbers in a minimum time. Without visual aid, education at such speed and on such a scale would be impossible. Films sponsored by private industries have made effective contribution and the Office of Education has already produced more than 33 of a scheduled 50 films for the industrial training program. Films have been successfully used for such diverse purposes as to train workers in aircraft production plants, to describe the proper use of the telephone, to increase the effectiveness of petroleum salesmen and filling station operators, and to train girls with no previous experience to read micrometers in record time. Motion pictures are being used for instructional purposes by all the principal branches of the armed forces, with more than 600 films finished or in process. Totalitarian countries are far ahead of the United States in the production and use of films to influence and mold public opinion. Recently, however, with the establishment of the Office of the Coordinator of Government Films, plans were completed for 26 films for this purpose. Training films should meet rigid standards in terms of expected performance. They should have a clear relevancy to the problem, situation, or activity at hand. They must give a simple and direct treatment of the subject, and should encourage and stimulate logical thinking beyond their immediate scope.

Sound elements, slow motion, essential details, camera devices and details are becoming increasingly important. Color is usually not essential and should not be used if it attracts attention from the point at issue. Since films cannot take the place of a skilled instructor and are a poor substitute for actual practice, their effective use requires careful planning. Experiments show that it is best for group discussion of the subject to take place before the complete and uninterrupted showing, which should then be followed by application to, or discussion of, the training situation by the group and possibly by a reshowing of specific parts of the film.—*Edith K. Mosher.*

15. Dominick, W. B. **The employee handbook; a training aid.** *Personnel Administration* 4 (9) May, 1942: 1, 3-5.—The employee handbook of the orientation type conserves time in adjusting new employees to the agency and acquainting them with its basic policies and regulations. With few exceptions, industry has issued printed handbooks; most of those in the federal government are either mime-

ographed or multilithed. But the style, the tone, and the presentation of the material are perhaps more important than the physical appearance of the handbook. The language used should be that which the newcomer can readily understand. Simplicity and sincerity are best fitted to inspire the confidence of employees. It is important that the emotional factors which bind human beings to their work should not be overlooked. If the tone is stiff and bureaucratic, the new employee will feel stifled. Government agencies have generally used more stereotyped titles; however, several recent handbooks carry such titles as "You and Your Service" and "Toward Farm Security." Every employee wants to be informed about the organization in which he works. The contribution which the employee can make in furthering good relations with the public is important to government agencies. The difficulties which most employees encounter in adjusting themselves to their new surroundings, particularly under wartime conditions, have emphasized the need for information about the city in which they are employed.—*Robert C. Sampson.*

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